

# Local NGOs in national development: The case of East Timor

A thesis submitted in fulfilment of the requirements for the  
degree of Doctor of Philosophy

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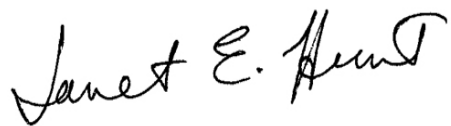
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April 2008

Except where I have acknowledged assistance with interpreting and translating, this thesis is entirely my own original work, conducted since the commencement date of the approved research program. It has not been submitted in whole or in part to qualify for any other academic award and has complied with the relevant ethics procedures and guidelines of the RMIT University.

A handwritten signature in black ink, reading "Janet E. Hunt". The signature is written in a cursive style with a large, stylized 'J' and 'H'.

Janet E Hunt

## **ACKNOWLEDGMENTS**

My thanks are due primarily to the many individuals whose vision, passion and courage led them to form local non-government organisations (NGOs) in East Timor to pursue their dreams of a better life for their people. I am particularly indebted to the boards, staff and volunteers of the NGOs which I studied in depth, Caritas Dili, ETADep, HAK, FOKUPERS, SAHE and Timor Aid, and particularly Sister Idalia Taveres, Gilman dos Santos, Jose Luis d'Oliviera, Manuela Pereira, Nuno Rodrigues and Maria do Ceu Lopes da Silva Federer who facilitated this research in their respective organisations.

I am also grateful to many other individuals from the local Timorese NGO community, far too numerous to mention, who shared insights with me. Thanks also to colleagues from international NGOs, members of the Timor-Leste Government and international donor agencies and others who so generously gave their time to provide me with information.

Particular thanks are due to Arsenio Bano, who first invited me to work with the East Timor NGO Forum which led to my interest in this issue, and who himself retained an interest in this research; to Keryn Clark from Oxfam Australia who generously provided office facilities in Dili and shared her vast knowledge of East Timor generously; to Elsa Ximenes for her interpreting skills and her interest in this research, and to others who assisted me occasionally in this area; Palmira Pires and the East Timor Development Agency and Fernando da Costa who assisted with translation of chapters, and in Fernando's case, checked and resolved translation problems with NGOs; to Inge Lempp and Constantino Pinto, Annie Keogh and Patrick Walsh, Maree Keating and Kerry Brogan, all of whom provided me with accommodation during fieldwork and much other intellectual and practical support. Aderito de Jesus Soares, Mena Dos Reis and Ann Wiggleworth also encouraged me; they openly discussed

ideas and provided friendship and encouragement. Merrindahl Andrews, Kristina Beck and Ann Wigglesworth also kindly proofread parts of the text to assist me with post-examination final editing. Of course, the usual disclaimers apply.

Thanks also to my supervisors, Dr Peter Marden for his steady feedback on draft chapters, and Dr Helen Hill for her special knowledge of East Timor; Professor Jon Altman of the Centre for Aboriginal Economic Policy Research (CAEPR) at The Australian National University for enabling me to take four weeks' leave from my position there to complete the writing; and my CAEPR colleague Diane Smith for encouraging me to finish it.

Lastly, my special thanks to my partner Allan Carriage who endured my endless hours at the computer when there was so much else to do, and to many other friends and colleagues who provided encouragement, and tolerated my unsociable behaviour.

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## GLOSSARY OF ACRONYMS

ACFOA	Australian Council for Overseas Aid
AETA	Australia-East Timor Association
AFAP	Australian Foundation for the People of the South Pacific
AI	Amnesty International
APHEDA	Australian People for Health Education and Development Abroad
APODETI	<i>Associacao Popular Democratica de Timor</i> (Popular Democratic Association of Timor)
ASDT	<i>Associacao Social Democratica Timorese</i> (Timorese Social Democratic Association)
ASIAT	Australian Society for Inter-Country Aid-Timor
AusAID	Australian Agency for International Development
BEC	Basic Ecclesiastical Communities (Philippines)
CA	Constituent Assembly
CAA	Community Aid Abroad (Australia), now known as Oxfam Australia
CAFOD	Catholics for Overseas Development (UK)
CAP	Consolidated Appeal Process (UN)
CARE	Full name of an International NGO
CAVR	<i>Comissao de Acolhimento Verdade e Reconciliacao</i> (Commission for Truth, Reception and Reconciliation)
CBO	Community Based Organisation
CEDAW	Convention to Eliminate All Forms of Discrimination Against Women
CEP	Community Empowerment Program (World Bank)
CeTTiL	East Timor Training Centre (Timor Aid)
CNRM	<i>Conselho Nacional da Resistancia Maubere</i> (National Council of Maubere Resistance)
CNRT	<i>Conselho Revolucionario de Resistencia Timorese</i> (National Council for East Timorese Resistance)

CRRN	<i>Conselho Revolucionario de Resistencia Nacional</i> (Revolutionary Council of National Resistance)
CRS	Catholic Relief Services (USA)
CSO	Civil Society Organisation
CSRNET	<i>Comissao Secrete de Resistencia Nacional dos Estudantes Timorenses</i> (Secret Commission of the Timorese Students Resistance)
CUCO	Credit Union Cooperative Organisation (Indonesia)
CWSSP	Community Water Supply and Sanitation Project (AusAID)
DANIDA	Danish International Development Agency
DELSOS	<i>Delgado Social</i> (precursor to Caritas East Timor)
DFID	Department for International Development (UK)
DKA	<i>Dreikoenigsaktion</i> (Austrian Catholic NGO)
DOTS	Direct Observation Treatment System
ECSP	Engaging Civil Society Project (CRS)
ELSAM	<i>Lembaga Studi dan Advokasi Masyarakat</i> (The Institute for Policy Research and Advocacy, Indonesia)
ETADep	<i>Yayasan Ema Mata Dalam Ba Progressu</i> (Road to Progress Association)
ETAN	East Timor Action Network (US)
ETCAS	East Timor Community Assistance Scheme (AusAID)
ETSSC	East Timor Students Solidarity Council
ETTA	East Timor Transitional Authority
ETWAVE	East Timor Women Against Violence
FALINTIL	Armed Forces for the National Liberation of East Timor
FECLETEL	<i>Frente Estudantil Clandestina de Timor-Leste</i> (Clandestine Front of East Timorese Students)
FMLN	Farabundo Marti National Liberation Front (El Salvador)
FOKUPERS	<i>Forum Komunikasi Untuk Perempuan Timor Loro Sae</i> (East Timorese Women's Communication Forum)
FORTILOS	<i>Forum Solidaritas untuk Rakyat Timor Lorosae</i> (Solidarity Forum for the People of East Timor) Indonesian NGO.
FRELIMO	Front for the Liberation of Mozambique

FRETILIN	Revolutionary Front for an Independent East Timor
GFFTL	<i>Grupo Feto Foinsa'e Timor-Lorosa'e</i> (East Timor Young Women's Group)
GOI	Government of Indonesia
Golkar	Governing Party in Indonesia during occupation of East Timor
HABURAS	Environmental NGO
HAER	Humanitarian Assistance and Emergency Rehabilitation (UNTAET)
HAK	<i>Hukum, Hak Asasi, dan Keadilan</i> (The Foundation for Law, Human Rights and Justice)
Halarae	Agriculture NGO ( <i>Halarae</i> means Landcare in Kemak dialect)
HASATIL	<i>Hametin Agrikultura Sustentavel Timor-Leste</i> (Sustainable Agriculture Network East Timor)
HIPC	Highly Indebted Poor Countries Initiative (World Bank)
HPPMAI	<i>Humpunan Pemuda Pelaja dan Mahasiswa Anti-Integrasi</i> (Association of Anti-integration Youth and Students)
ICA	Institute of Cultural Affairs
ICRC	International Committee of Red Cross
IDP	Internally Displaced Person
IMPETTU	<i>Ikatan Mahasiswa Permuda dan Pelajar Timor Timur</i> (Organisation of East Timorese Students)
IMVF	Instituto Marques Vale Flor (Portugal)
INFID	International Forum on Indonesian Development
INFIGHT	Indonesian human rights NGO
INGO	International non-government organisation
INL	National Institute of Linguistics
INTERFET	International Force East Timor
IOM	International Organisation for Migration
IPM	Integrated Pest Management
IUATLD	International Union Against Tuberculosis and Lung Disease
JAM	Joint Assessment Mission
JICA	Japan International Cooperation Agency

JKPIT	<i>Jaringan Kesehatan Perempuan Indonesia Timor</i> (Network for East Indonesian Women's Health).
JPC	Justice and Peace Commission
KACTL	<i>Klibut Alizados Cartilosa Timor-Leste</i> (NGO)
KAS	Konrad Adenauer Stiftung Foundation (Germany)
KBH	<i>Knua Buka Hatene</i> (NGO Training Centre)
KFB	Austrian Catholic Women's Group (Austria)
KOTA	<i>Klibur Oan Timor Asuwain</i> (Association of Sons of Timorese Warriors)
KSI	<i>Kadalak Sulimutuk Institute</i> (a Student Research Institute)
LAIFET	Labour Advocacy Institute for East Timor
LBH	<i>Lembaga Bantuan Hukum</i> (Legal Aid Institute, Indonesia)
LNGO	Local non-government organisation
LNWDA	Leitana Nehan Women's Development Agency (Bougainville)
LSM	<i>Lembaga Swadaya Masyarakat</i> (Community Self-reliance Organisation)
MAFF	Ministry of Agriculture, Forests and Fisheries
MKITL	Indonesian Humanitarian Mission for Timor Lorosae (Indonesia).
MNKV	<i>Movimentu Nasional Kontra Violencia</i> (National Movement Against Violence)
MRC	Member's Representative Council (HAK)
NASSA	National Secretariat for Social Action, Justice and Peace (Caritas Philippines)
NDI	National Democratic Institute (USA)
NDP	National Development Plan
NDPEAC	National Directorate of Planning and External Assistance Coordination
NGO	Non-government organisation
NOVIB	Dutch NGO, member of the Oxfam family.
NTP	National Tuberculosis Program
OCHA	Office for the Coordination of Humanitarian Affairs
OECD	Organisation for Economic Cooperation and Development
OJECTIL	<i>Organização da Juventude Catolica de Timor-Leste</i> (East Timor Catholic Youth Organisation)

OMT	<i>Organizacao Mulheres Timor</i> (Organisation of Timorese Women)
OPMT	<i>Organizacao Popular (da) Mulheres Timor</i> (Popular Organisation of Timorese Women) <sup>1</sup>
OPE	Office for the Promotion of Equality
OPJT	<i>Organizacao Popular Juvente (or dos Jovens) Timorense</i> (Popular Organisation of Timorese Youth)
OSOS	<i>Organisasi Siswa Intra-Sekolah</i> (Intra-School Students Association)
PAS	<i>Pronto Atu Serbis</i> (Ready to Serve)
PD	Democratic Party
PKI	Communist Party of Indonesia
POSKO	Post for the Coordination of Emergency Aid
PRA	Participatory Rural Appraisal
PRSP	Poverty Reduction Strategy Plan (World Bank)
PSD	Social Democratic Party
RDP	Rural Development Programme (Caritas Dili)
RDTL	<i>Republica Democratica De Timor-Leste</i> ( Democratic Republic of Timor-Leste)
REDE (Feto)	Women's NGO Network
RENETIL	<i>Resistencia Nacional dos Estudantes de Timor-Leste</i> (National Resistance of Timorese Students)
SACOP	Social Action Centre of Pampanga (Philippines)
SAHE	Sahe Institute for Liberation
SIP	Sector Investment Program
SMSG	Special Representative of the Secretary-General
TAF	The Asia Foundation (USA)
TB	Tuberculosis
TNI	Indonesian National Military (after April 1999; previously known as ABRI)
UDT	<i>Uniao Democratica Timorense</i> (Democratic Union of East Timor)

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<sup>1</sup> The Portuguese and Tetum forms for OPMT and OPJT vary and are used interchangeably by different authors

UN	United Nations
UNAMET	United Nations Assistance Mission in East Timor
UNETIM	<i>Uniao Nacional de Estudantes de Timor</i> (National Union of Timorese Students)
UNDP	United Nations Development Program
UNHCR	United Nations High Commission for Refugees
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Fund for Women
UNMISSET	United Nations Mission of Support in East Timor
UNTAET	United Nations Transitional Administration in East Timor
UNTIM	<i>Universitas Timor Timur</i> (University of East Timor)
UNTL	University of Timor-Leste
USAID	United States Agency for International Development
USC	Unitarian Service Committee of Canada
WB	World Bank
WHO	World Health Organisation
WFP	World Food Programme
YASONA	NGO of the Protestant Church



## WORDS IN LANGUAGES OTHER THAN ENGLISH

<i>Accao National Popular</i>	name of single political party in Portuguese Period
<i>Adlita</i>	Democratic Association for the Integration of East Timor with Australia
<i>aliran</i>	political grouping or ideology
<i>assimilado</i>	Timorese person accepted as Portuguese in colonial period
<i>Bahasa Indonesia</i>	Indonesian language
<i>bases de apoio</i>	resistance support bases
<i>Bia Hula</i>	Bubbling Spring (name of a water and sanitation NGO)
<i>chefe de suco</i>	head of a suco (small administrative unit below <i>posto</i> )
<i>conselho</i>	large administrative unit (region)
<i>Escola Ukun Rasik A'an</i>	Activists School (SAHE)
<i>Escuteiros</i>	Catholic Scouts
<i>indigenes</i>	population defined as indigenous (non-Portuguese)
<i>Komite Defeza ba Demokrasia</i>	Committee in Defence of Democracy
<i>Komnas Ham</i>	Human Rights Commission (Indonesia)
<i>La'o Hamutuk</i>	walking together (name of an NGO)
<i>liurai</i>	head of a kingdom
<i>lulik</i>	sacred object
<i>malai</i>	foreigner
<i>mestico</i>	mixed race person
<i>Orgao Oito</i>	Organ Eight: name of a resistance cell
07	name of a resistance cell

<i>pancasila</i>	Indonesian state ideology
<i>Partido Trabalhista</i>	Workers Party
<i>plat merah LSM</i>	red plate NGO (NGO close to Indonesian Government)
<i>posto</i>	administrative unit below conselho
<i>Rumah Rakat</i>	People's House (HAK)
<i>Seara</i>	name of a Catholic newspaper
<i>Solidamor</i>	name of an Indonesian NGO
<i>Solidaritas Jepang</i>	Solidarity Japan (Japanese NGO)
<i>suco</i>	administrative unit below posto
<i>simpan pinjam</i>	small savings clubs
<i>Solidaritas Jepang</i>	Solidarity Japan
<i>tais</i>	Traditional woven cloth
<i>Timor Timur (Indon)</i>	East Timor
<i>Ukun Rasik A'an</i>	Tetum term encompassing sovereignty, self-determination, self-sufficiency and independence
<i>usaha bersama</i>	credit unions and informally structured cooperative enterprises
<i>yayasan</i>	foundation
<i>Yayasan Hanai Malu</i>	savings and credit NGO
<i>zonas libertadas</i>	liberated zones

## SUMMARY

This thesis explores the roles and experiences of local East Timorese non-government organisations through the multiple transitions which accompanied East Timor's process of independence. During the 1990s, development theory and practice gave a central place to civil society in development and democratisation. Non-government organisations were seen as key players in civil society which donors tended to support. This study set out to understand how the rapidly changing circumstances of the period 1999–2004 affected the roles which key local NGOs played in East Timor's turbulent transition from occupied province to independent nation. It explores how they attempted to influence the changing environment in which they were operating, particularly in the development of the new nation. In doing so, it examines how the actual experience of these local NGOs relates to theories of civil society and NGOs in the various phases of transition to democracy, state and nation building and post-conflict peacebuilding.

After reviewing literature relating to the role of civil society and NGOs in democratisation, development and peacebuilding from many parts of the world, and identifying some key issues to explore, the study turns to the particular context of East Timor. It summarizes the colonial history, with a particular focus on governance, development and the emergence of civil society and NGOs in that territory, demonstrating that a complex, multi-layered governance system was in place prior to the 1999 emergency. It then turns to the major phases of the transition, from the January 1999 announcement that the Indonesian Government might consider independence for East Timor, through the popular consultation, the subsequent militia rampage, the emergency response and establishment of a UN administration and the eventual declaration of independence on 20 May 2002, followed by the first two years of the new state, with particular attention to what happened to civil society broadly during these phases.

It then focuses closely on six leading East Timorese NGOs, which between them reflect different organisational origins and sectoral interests and which were perceived to be playing significant roles within the NGO community. Caritas Dili is the NGO of the Catholic Diocese of Dili; given the central role which the Catholic Church played in protecting the people during their resistance struggle, and the vital humanitarian assistance which Caritas Dili was providing during the early period of this study, it was selected. ETADep is a well respected agriculture NGO which also had a long history of activity. HAK and FOKUPERS formed during the mid-late 1990s, with a human rights and women's rights agenda respectively. Both began by trying to support victims of human rights violations as Indonesian repression gripped East Timor. SAHE was formed even later by East Timorese students in Jakarta as a study club to debate and consider issues critical to development of a nation, while Timor Aid was initiated by Timorese exiles in Australia and Jakarta to support their compatriots inside Timor. It grew rapidly to play a major role in the response to the 1999 emergency.

The case study chapters each describe briefly the history of the NGO, then trace its story over an approximately five year period through the various transitions. They explore how the visions, strategies, programs and organisational systems of these NGOs changed as the context changed. The case studies show how adaptive these NGOs were to the context in which they operated, how excluded some of them were by the huge influx of international players after the ballot, but how, in the absence of a legitimate government, they were included in various processes in a number of important ways during the UNTAET period. These studies also reveal some of the challenges the NGOs faced as the new government took over in May 2002, and their relationships to the government became less clear.

The study concludes by summarising the changing roles and capacities of the NGOs, highlighting the many roles which local NGOs played throughout the study period, and the way in which they had to change to meet new demands placed upon them. It identifies capacities in the areas of relationships and resources as critical for these

NGOs' survival and development, and identifies some strategies which the NGOs themselves identified as useful in helping them attain these. It also identifies some areas, notably relating to community development and organisational management, which they found challenging and where more capacity development may have been valuable.

Finally the study reflects on the actual experiences of Timorese NGOs compared to theory and experiences elsewhere relating to democracy, development and peacebuilding. It finds that NGOs played a supportive role in the transition to democracy, contributed to democratic consolidation by strengthening the state in a number of ways, but had little leverage to hold the government to account. Their efforts to make democracy more responsive to the development needs of the people were thwarted to some degree by the centralist nature of decision making and the very limited resources and capacities of the government itself. Government-NGO collaboration occurred primarily in areas where pre-existing relationships provided a basis of trust. NGOs were active in many areas of development, largely with international NGO and donor funding, but official donor support was declining rapidly towards the end of the study and the sustainability of even well established NGOs was an open question. NGOs also made a contribution to managing local conflicts and building a culture of human rights, but the violence which erupted in 2006, after the study concluded, was beyond their scope. The findings, which emphasise the changing relationship of the new state to its citizens, suggest that the civil society and development practice, which has been strongly based on de Tocqueville's approach to civil society, is not particularly helpful in a post-conflict setting. Instead, an adapted Gramscian approach, viewing civil and political society as interrelated sites in which a struggle to embed non-violent means of apportioning power is being waged could be of greater analytic and practical value.



## CHAPTER ONE

### INTRODUCTION

East Timor<sup>2</sup> was the first new nation created in the twenty-first century. It has only recently emerged from some 450 years of Portuguese and Indonesian colonisation. Its extraordinary struggle for self-determination over more than 24 years of Indonesian occupation, and the human rights violations its people endured, have been widely documented, most recently and fully by the Truth, Reception and Reconciliation Commission (*Comissao de Acolhimento Verdade e Reconciliacao*), established following its liberation (CAVR 2006). Creating a new nation is an enormous endeavour; it involves reconfiguring and building new institutions and organisations of all types; forming a government is of course a critical element, but it is certainly not the only one, as this research illustrates.

This study about non-government organisations (NGOs) in this new nation sits within a broad framework of interdisciplinary social science research known as development studies. Much of the focus of development studies historically has been on the processes of national development pursued by newly decolonised states in Africa, Latin America and Asia in the 1950s and 1960s. Most of these states emerged before the extraordinary expansion of non-governmental organisations across the developing world, which occurred in the 1980s and 1990s (Salamon 1994). East Timor is emerging as a nation in a totally different context from the earlier wave of newly independent states. Today globalisation of the world economy, market-led development, new information technology and the rapid dissemination of ideas are distinctive features of the environment.

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<sup>2</sup> The territory which is called in English, East Timor, is officially named 'Timor-Leste'. It has also been known by some as Timor Lorosa'e and is referred to through this thesis by all three names depending on the context and the sources used.

Earlier development theory has also been subject to criticism by those who believe that ‘development’, as exemplified by major development institutions, has failed to deliver on its promises to the poor; rather, ‘development’ has entrenched elites and marginalised others, favoured the adoption of western models and systems inappropriate to developing country contexts, and disregarded the diversity of cultural, social and economic possibilities (Crush 1995, Escobar 2000, Sachs 1992). Such writers have suggested greater attention to local actors and locally developed ideas for improving people’s lives. These authors have themselves been subject to criticism, their detractors arguing that development has already adopted concepts of empowerment and participation, and that local communities actively engage with development, and make of it what they will (McGregor 2007, Robins 2003). Thus the very nature of ‘development’ is now contested and there is room for a diversity of players. Among those players, the world of development now widely accepts a place for civil society, including NGOs, in a more democratic development.

Development studies researchers have also recently sought to better understand the specific challenges presented by post-conflict societies, as a great deal of development work is now undertaken in such environments. The study of peacebuilding has become important to development agencies (Junné and Verkoren 2005). Attention to NGOs and civil society in governance and development has become a specific area of study, but research specifically about local NGOs has only rarely been linked to post-conflict development (Smillie 2001). This study attempts to bring these issues together in the context of East Timor.

Most of the focus of international players during East Timor’s transition to independence was on the humanitarian response and the initial physical reconstruction after the massive destruction by the militia rampage in September 1999. This followed the historic popular vote for separation from Indonesia in a United Nations (UN) supervised ballot. Attention has also focused on the establishment of the institutions of state and the first government of the new nation of Timor-Leste, which formally took the reins of power on 20 May 2002. This is understandable. Much of what has been



written about what followed the rampage has also been from the perspective, or about the operations of, the international community in East Timor in undertaking these tasks, rather than about or from the perspective of the local players, especially those outside the government (see for example, Martin 2001, Smith and Dee 2003, Taudevin and Lee 2000). Yet building a new nation involves more than building a government, particularly where the nationals of that country have been brutally suppressed for decades. Forming a state and forging a nation are two different yet related tasks. Nation building implies developing a sense of community as a polity; it is about creating a sense of common political identity among the citizens (Simonsen 2006:576); state building refers to creating or strengthening the organs of the state, such as the constitution, the parliament, judiciary, and public service, and includes building the civil society organisations as well. Both therefore require the involvement of the citizenry of the new nation. Nation building in East Timor requires a process of forging a national identity beyond the unifying struggle for independence. And beyond state building, East Timor must urgently engage in a whole new struggle against poverty. East Timor, like many other developing countries before it, starts its journey of nationhood from a situation of deep material poverty (Joint Assessment Mission 1999a, UNDP 2002b). It is the poorest country in Asia. Thus the challenge of development is a central one for the new nation.

Within almost any developing country today, important roles are played by various traditional and modern citizen associations which bring together people with common needs, interests or concerns, who work together to achieve their goals. Such associations may reflect concerns relating to social, economic, or environmental issues, or may focus on the promotion of cultural or sporting interests. In the socio-economic area, there are two types of organisation—those which might be considered ‘self-help’ groups, such as associations of farmers, or trade unions, which exist to improve the lives of the members. Others comprise groups of people who come together to assist others, or improve the society in some way. All these sorts of organisations have been formed or re-formed in East Timor since 1999, and many are now playing an important role in the development of the new nation (Holloway 2004a). This study is most

interested in those organisations working in the socio-economic area, broadly defined, and those which see themselves playing a policy advocacy role in the shaping of the new nation. It is these organisations which are most involved in the development of East Timor's emerging democracy and the nation's socio-economic progress. Some international support has gone to these non-government organisations and to the wider civil society of East Timor as part of the humanitarian reconstruction and establishment of the new democracy, but little has been written about them.

I was actively involved in the international civil society movement for the right of East Timorese people to self-determination, and was leading the Australian NGO peak body which initially coordinated international NGOs during the emergency response in 1999. In late 2000 I was invited to work with the East Timor NGO Forum, the umbrella organisation established to coordinate local and international NGOs in East Timor. I continued this work during much of 2001 as a consultant to AusAID and UNDP, and then continued working with local and international NGOs in East Timor through a series of consultancies with international NGOs during 2002-2003. In September 2003 I began to interview local NGOs about their experiences over the period, and in early 2004 selected six for in-depth attention during a series of field visits begun during that year and finishing in June 2005. It was my experience of the exclusion of many local NGOs from the early period of the emergency which inspired me to follow the progress of these organisations over the ensuing five years, to trace what happened to them in the longer term.

The literature suggests that 'civil society' is central to the development of democracy, and that it plays an important role in socio-economic development, yet definitions remain confused and contested (Kaldor 2003, Van Rooy 1998). Civil society includes a wide range of organisations and traditional, relatively informal, social forms and networks which are not motivated by profit. These may include cooperatives, trade unions, media, human rights groups, womens' and youth groups, church and student organisations, and self-help groups. They are assumed to be independent of the state. NGOs are part of civil society, but far from the only players within it (Mitlin 1998).

The Cardoso Panel of Eminent Persons on UN-civil society relations set up by UN Secretary-General, Kofi Annan, in 2003 defined civil society as:

‘...the associations of citizens (outside their families, friends and businesses) entered into voluntarily to advance their interests, ideas and ideologies. The term does not include profit making activity (the private sector) or governing (the public sector)’ (Cardoso 2004:13).

Kaldor suggests that the term has always been associated with ‘a rule-governed society based largely on the consent of individual citizens rather than coercion’ (Kaldor 2003:1), noting that different definitions reflect ‘different ways in which consent was generated, manufactured, nurtured or purchased, the different rights and obligations that formed the basis of consent, and the different interpretations of this process’(Kaldor 2003:1). Van Rooy notes its diverse political and philosophical origins, but defines it for practical purposes as ‘an observable reality’ (organisationally) and ‘a good thing’, in that even an imperfect one is better than no civil society at all (Van Rooy 1998:30). Essentially, it seems at its core to be about the relationship between citizens and their state, and it may take organisational form. Whilst the term ‘civil society’ is often used in the development literature in a normative way as something worthwhile, it is clear that civil society organisations may work towards internationally agreed standards embodied in human rights agreements, or may actively engage in violence (Keane 1998, 2003). This study acknowledges this broad understanding of civil society but deliberately seeks out organisations which are working for development and the attainment of human rights, broadly defined (i.e. for social, economic and cultural rights as well as civil and political ones) in a context in which the end of violence is sought.

Whilst ‘civil society’ is a term which embraces much more than NGOs, this research focuses particularly on local NGOs, because they are generally a key aspect of civil society which other development players emphasise as important (UNDP 2001, World Bank Civil Society Team 2003). Officially recognised definitions, such as that

provided by the Commonwealth Foundation, tend to point to four key NGO characteristics. These include:

- independence;
- voluntarism;
- not for profit; and
- ‘not for the immediate benefit’ of members (Ball and Dunn 1996).

NGOs are independent of government and are supposed to be controlled by their boards, rather than by anyone else; they are formed voluntarily rather than by statute, and there is an element of voluntarism in their operations. They may generate revenue but must apply the profits towards their goals, rather than distribute them. Finally, their efforts are intended primarily to benefit others, usually disadvantaged members of society (Ball and Dunn 1996). This focus on NGOs is not to downplay the valuable contributions played by the media, the church and religious organisations, or trade unions, to name a few other elements of civil society, but it is to limit this study to manageable proportions.

Despite the interest in NGOs in the wider development literature (see for example Edwards and Hulme 1992b, Fowler 1997, Van Rooy 1998), there is very limited literature about the roles of local, in contrast to international, NGOs in post-conflict reconstruction and development (Smillie 2001). Whilst it is recognised that international NGOs have a role to play, especially in the immediate emergency which follows violent conflict (Smillie and Minnear 2004), little attention has been given to the experiences, roles and contributions of the local NGOs in such contexts. This thesis aims to do this in relation to the case of East Timor.

## **1.1 Approaches to studying NGOs**

There are several approaches to or frameworks for studying NGOs (see for example Davies 1998, Fisher 1997, Hilhorst 2003, and Salamon and Anheier 1999). Salamon and Anheier emphasise that NGOs are ‘deeply embedded in the social, economic and political dynamic of different societies’ (Salamon and Anheier 1999: 87) and that

explanations for their emergence based on responses to market failure, the available supply of nonprofit entrepreneurs (often through religious institutions), or the state's need for complementary organisations to enable it to respond to citizen needs, are all insufficient. The emergence of NGOs will reflect the particular socio-political histories of individual countries. Their research illustrates how authoritarian regimes, the colonial experience, limited economic growth, legal and religious factors, and development policies favouring state development all seem likely to have constrained the development of a nonprofit sector in certain developing countries. This research is less focussed on the reasons for the emergence of NGOs in East Timor as on their roles and organisational challenges in a rapidly shifting environment. Studies of a single NGO or of particular qualities of NGOs, such as those by Hilhorst (2003) or Davies (1998) respectively, could not offer an insight into the broader trends in the NGO sector through the transitions taking place in East Timor. The most relevant approach for this study is therefore one which examines NGOs as organisations in their wider context, and which could be applied to several NGOs (Fowler 1997). NGOs may be viewed as dynamic organisations which change in direct response to external pressures and challenges or as organisations which try to act upon a changing external environment. These two approaches to understanding NGOs—that of studying the organisations themselves or of examining their response to the external context and pressures is at the heart of this study. It seeks, as far as possible, to do both. It looks closely at the rapidly changing context, as the way the NGOs were affected by and responded to it was seen as the central issue.

The most common organisational framework for analysing NGOs is Korten's, which has at its heart the notion of NGOs as organisations of change and adaptation. Korten (1990) suggested that NGOs could be understood by their changing nature. He described four distinct phases or generations of NGO evolution over the past 40 years, largely with international, rather than local NGOs in mind:

Phase 1: Relief and welfare: in which NGOs delivered social services during periods of acute shortages.

- Phase 2: Community development: in which NGOs functioned as mobilisers of popular and governmental support in responding to locally based / community projects.
- Phase 3: Sustainable systems development: in which the focus of NGOs shifted to sub-regional and national concerns (especially in the environmental areas).
- Phase 4: People's Movements: in which NGOs functioning as activists and educators seek to coalesce and energise self-managing networks towards both national and global social development goals (Korten 1990: Table 10-1, p. 117).

While Korten's original writing implied that these were stages which NGOs moved through as they matured, the reality is that many NGOs reflect some or all of these stages through different activities they undertake at any one time. Certain activities may dominate at different times, but the development of higher level stages may indeed come at later stages in the organisation's growth. Korten also speaks of the strength of the voluntary sector in its distinctive capacity for diversity and independence. He seeks to understand the distinctive difference of NGOs according to their values and ethos and according to how they function and respond in a changing development environment (Korten 1990).

More recent analyses have tried to further refine and develop Korten's framework, while retaining a notion of NGOs as adaptive and improving organisations. For example, Smillie (1995) points to a study by John Hopkins University that concludes that the most rational basis for defining an organisation is its structure and operation. Using this definition, he suggests a different set of evolutionary stages for NGOs:

- Community based voluntarism: requiring a high degree of personal involvement and responsibility for the delivery of humanistic service;
- Institutionalisation: responsibility remains with people but is expressed through the formation of associations that may complement services provided by governments;

- Professionalisation: demands for services and other issues lead to federation and professionalisation of associations and often, reluctantly, to government funding or even to a replacement by government services;
- Welfare state: one in which society provides for all people's needs and charities then become redundant.

Most of this organisational theorising about NGOs draws heavily on literature about international NGOs rather than national NGOs in developing countries, and while similar stages may apply, this cannot be assumed. It appears that Smillie's last phase is highly questionable in any case, as even in developed societies of very high income per capita and well developed welfare systems, NGOs retain an important role in both service delivery and advocacy. Certainly, the last stage of Smillie's categorisation was out of the question in East Timor. However, these frameworks can provide a prism for both selecting and studying NGOs in East Timor, whilst being treated with some scepticism in such a different environment.

Fowler's (1997) work provides, however, the overarching NGO framework for this study, because it brings together the internal organisational capacities of an organisation with the external conditions in which it operates. It is this nexus which is of interest in this study. Fowler makes the point that NGOs must have capacity in five areas:

1. Designing development strategies, programs and projects, based on a clear vision
2. Having people and the management systems to implement them
3. The ability to mobilise resources
4. The skills to maintain external relationships, and
5. The ability to achieve outcomes (Fowler 1997: 43-68).

This framework recognises that as the context changes, NGOs have to assess the changes and adjust their strategies. For this reason, this framework was chosen as the most suitable for exploring what was happening to NGOs in the changing context of East Timor. This study used this framework as a broad structure for designing

interviews to identify what had happened to NGOs over the five-year period of the study. Further insights were gained by drawing on Fisher (1997) who suggests that, in general, writers about NGOs can be divided into two categories. The first group are those who believe that NGO action can improve an approach to development which, while flawed, is generally in the right direction. The second are those who see NGOs as offering a challenge to orthodox development discourses and approaches. Since NGOs themselves are very heterogeneous it is also clear that NGOs which themselves reflect both perspectives exist. For those reflecting the first perspective, development agencies 'support local NGOs for their effectiveness in pursuing the goals of what some have called a 'new policy agenda', a heterogeneous set of policies based on a faith in two basic values—neoliberal economics and liberal democratic theory' (Fisher 1997:444). Thus, NGOs are seen as more flexible, innovative, and effective at achieving development and overcoming the constraints facing bureaucratic government agencies, and they are assumed to contribute to democratisation.

For the second grouping, Fisher argues, NGOs are 'vehicles for challenges and transformations of relationships of power...part of a process that is capable of transforming the state and society' (Fisher 1997: 445). Their challenge is to make political issues which were either not politicised or were 'depoliticised' through the discourse of 'development'. These writers recognise that the development industry has an enormous capacity to take in new ideas and transform their radical potential into a technical formula. Thus the risk for NGOs is one of being co-opted into a process of depoliticisation, whereby questions of political power are turned into technical questions of development, through the mechanism of NGOs.

Fisher suggests that what is important to the study of NGOs is the 'fluid web of relationships' and the flows of funding, knowledge, ideas and people that move through them, and how these intersect with the external context and its 'multiple connections' (Fisher 1997:450). Thus, how NGOs relate to social movements, the complexities of the state and the donor environment are very important. The literature suggests that donor funding has a major influence on NGOs, shifting their focus from



social mobilisation to service delivery (Edwards and Hulme 1996). At the same time, Fisher suggests that there is a strong tendency for such organisations to ‘drift from participatory to oligarchic political structures’ (Fisher 1997:456). Thus the question arises of whether NGOs can be transformative, or whether they actually reproduce existing social patterns and structures.

The idea of NGOs existing within a fluid web of internal and external relationships, relating to funding, knowledge, people and ideas, seems to be a useful one to think about in this study, as is Fisher’s observation that, recognising that to ‘govern is to structure the field of possible actions of others’, NGOs may ‘emerge from, contribute to, or challenge the moral regulation inherent in governing’ (Fisher 1997: 458). In a new nation like East Timor, the governing institutions during the transition process, as well as the new government itself, will structure the possibilities for others’ actions in a significant way. Thus my approach to the study of the local NGOs in East Timor draws particularly on Fowler’s and Fisher’s insights.

Most recently, Lewis and Opoku-Mensah (2006) urge those researching NGOs to focus their analysis not only on organisational characteristics of NGOs but on the environments in which they operate, and the institutional systems and policy contexts in which they are embedded. This thesis attempts to do this. While concerned with the broad developments relating to local NGOs in East Timor, this study focuses on the experiences of six selected East Timorese local non-government organisations which existed before September 1999, and which regrouped and began to respond to the very changed conditions confronting them after the almost complete destruction of the country. However, these are set within a wider NGO, civil society and governance context. Five of these NGOs were operating in East Timor before the 1999 emergency; the sixth comprised East Timorese students living in Jakarta, Indonesia’s capital, and was relocated into Dili, East Timor, in late 1999.

The key questions this thesis addresses are:

1. How did the rapidly changing circumstances of the period 1999-2004 affect the roles which key local Timorese NGOs played in East Timor's turbulent transition from occupied province to independent nation?
2. How, in turn, did Timorese NGOs attempt to have influence on the changing environment in which they were operating, particularly the nation building process and the development of the new nation?
3. How does the actual experience of these local NGOs relate to theories about the roles of civil society and NGOs in the various phases of transition to democracy, state and nation building and post-conflict peacebuilding?

## **1.2 Selecting the NGOs for study**

A necessary first step in selecting NGOs for study is some means of classifying them. Vakil (1997) summarizes numerous classifications of NGOs and argues that there are two essential descriptors which classify NGOs: orientation and level of operation. In addition, she argues for two further contingent descriptors: evaluative attributes and sectoral focus. Together, the four provide a focus for research and development of NGOs and their practice.

By orientation, is meant the kinds of activities in which the organisation engages, (e.g. welfare, development, research, advocacy); and by level of operation is meant the distinction between community based, national, international and regional NGOs.<sup>3</sup> In terms of evaluative attributes, Vakil refers to two specific classificatory approaches based on evaluative criteria, those by Fowler (1985) and Korten (1990) which relate to

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<sup>3</sup> Vakil suggests international NGOs are those usually based in the industrialised world—although there now exist NGOs which operate internationally, not simply regionally, which are based in the developing world, such as the International NGO Forum on Indonesian Development (INFID) in Indonesia or Isis International-Manila, making this distinction inadequate. National NGOs are based in the third world, while community based organisations are more local within developing countries, often involved in rural development at the community level.

control over resources, accountability and, in the case of Korten, values (whether values-driven or market-driven). She also refers to other criteria such as efficiency, participation and congruence with the aims of feminism identified by other writers. In addition Vakil refers to 'sectoral' focus as a classification tool but does not discuss this at all.

The most useful aspect of this classification system for this study is its distinction between international, national and community based NGOs. This study was able to distinguish clearly NGOs which fit into the national NGO category in East Timor. The sectoral criterion was more difficult to use, as many national NGOs in East Timor are active in several sectors at once, however, this was taken into consideration in the selection process, to try to achieve a spread of different sectors overall. The orientation of the NGOs was another consideration, as I was keen to identify NGOs which might try to have influence over development directions in the new state, thus I looked for those which had advocacy roles or potential, as well as other activities. Again, few NGOs in East Timor worked within only one orientation. All those selected had existed prior to 1999 and were formed with a values-driven rather than market-driven agenda. There was little or no opportunity to be 'public sector contractors' for East Timorese NGOs within Indonesian occupied East Timor, although that situation changed after 1999. One had a clearly feminist orientation.

Vakil notes that there has been little research about how NGOs manage more than one orientation at a time or change 'from one to another orientation over time' and that the literature 'hints either directly or indirectly at the importance of taking into account the external environment' (Vakil 1997:2067). This study will shed light on both these issues, and indeed their interrelationship.

The challenge facing this researcher was to determine a basis on which to select a relatively small number of NGOs for detailed study, amongst the large number of local non-government organisations which existed in 2000 and 2001 in the UN-administered transition period to nationhood, and still existed in 2003. The organisations had to be

Timorese, and to this end, the definition of a Timorese NGO adopted by the East Timor NGO Forum, in its Constitution, was used:

An East Timor NGO is defined as an organisation which:

- was established in East Timor,
- is governed and run by East Timorese people,
- was formed voluntarily and operates partly or wholly through the work of volunteers,
- is independent i.e. is controlled by the NGO board only, based on the internal rules of the NGO,
- is not affiliated with any political party, is not being used for party-political work or propaganda, and is not led by a leader of a political party, or a government leader,
- does not operate for profit: i.e. although the NGO may pay staff and may raise money through profitable activities, any profits gained are used for the NGO's programs and do not go to any individual or to the members of the board (East Timor NGO Forum 2000a:3).

This definition was adopted to deal with a number of issues at the time: the extent to which purportedly Timorese organisations were genuinely controlled by Timorese, rather than international people; the extent to which they were genuinely independent of political parties, and the extent to which they were really nonprofit.<sup>4</sup> The criterion of 'Established in East Timor' in the English translation was subsequently interpreted to mean *existed* in East Timor rather than began in East Timor, with NGOs which had been initiated outside East Timor itself, but by Timorese people, being accepted as Timorese NGOs in the NGO Forum membership.

In order to understand the impact of the range of changes through the full period 1999-2004, I decided that the first criterion was to be that the organisation pre-existed the September 1999 crisis. That is, it was operating in some form at that time, and was still

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<sup>4</sup> Personal observation of debate at the East Timor NGO's first AGM at which this Constitution was adopted. I was involved in helping to draft this document and worked closely with the East Timor NGO Forum for over a year afterwards.

operating through the relief and reconstruction into the period of nationhood. The second criterion, to identify organisations which were operating in more than one district, preferably at least three districts, was to filter out the smaller organisations and find those which might be more significant players.

Thus the first task was to identify, from the best possible information, the Timorese NGOs which existed in early-mid 1999, had survived the crisis and reestablished themselves, and operated in at least two or three districts, based on best available information. This was not an easy task. Several sources were used<sup>5</sup> and careful comparison and cross-checking enabled me to identify 18 NGOs fulfilling those criteria which existed inside East Timor before September 1999 which were still operating in late 2003. This is from a total of 34 Timorese NGOs (local NGOs or LNGOs) which were operating in East Timor during the Indonesian period (Ribeiro and Magno 2004:16) if the data from this period is accurate, which is hard to know (Pedersen and Arneberg 1999). I also identified three which were founded by Timorese people outside East Timor but were operating inside in 2003 (see Appendix A).

Further selection then involved discussion with key NGO leaders, both Timorese and international, in East Timor. A range of people who knew the local NGO scene well were asked to identify the NGOs which they thought were among the most important local NGOs which had existed in 1999, and would provide a good range of NGOs to study—NGOs which might be considered as ‘leaders’ in the NGO movement that might have views about development approaches in the new nation. This proved to be a method which drew a lot of common responses, especially in relation to NGOs such as

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<sup>5</sup> The sources used were: The East Timor NGO Forum 2003 list of National NGOs, and more updated contact lists for the Districts of Bobanaro, Suau, Baucau, Manututo, Oecusse and Lautem (East Timor NGO Forum 2003); A list of NGOs attending a Government-initiated meeting for NGOs in August 2003 to discuss proposals for a High Level Mechanism (East Timor Ministry of National Planning and External Affairs 2003); this was an important meeting for NGOs with a wide range of attendees; The Columbia University data base 21 October 2003 version; this data base was of all NGO projects and had hundreds of entries by project; Early documentation about the formation of the East Timor NGO Forum in 1998; A list of East Timorese and International NGOs involved in Development Assistance in East Timor in early 1999 from a document titled ‘Socio Economic Conditions In East Timor’ (Pederson and Arneberg 1999); A Directory of East Timorese NGOs, published by the Australian Council for Overseas Aid (ACFOA) in 2000. This included dates when they claimed to have been formed (ACFOA 2000).

HAK, FOKUPERS, ETADEP, and Caritas Dili. These were frequently mentioned as NGOs which had played, and continued to play, important roles and which merited study. HAK was a well-known human rights organisation, FOKUPERS worked on women's rights, ETADEP was one of the earliest NGOs, with an agriculture focus, and Caritas Dili<sup>6</sup> was significant because it was a part of the Catholic Church which had for many years sheltered and protected the people in their liberation struggle. It had provided emergency assistance through church networks to people over many years.

Newer NGOs, such as La'o Hamutuk or Haburas, were often cited as significant, but were excluded since they had been formed or become operational after September 1999. However, a number of them were also interviewed, both to ascertain their ideas on which of the older NGOs were seen as offering leadership, and also to understand some additional NGO roles which the newer organisations were undertaking, such as monitoring the international assistance, drawing attention to environmental questions, or developing ecotourism etc., and to help understand the factors impinging on the broader NGO community (Appendix B provides brief information about these NGOs).

It then remained to select a final two for study, and this selection was in some ways slightly arbitrary, as several NGOs could have been included. At this point I approached several of the NGOs which might have been included, and conducted preliminary interviews with their director or key person to learn more about them, in an effort to decide which to include or exclude. This data forms part of the wider picture of what happened to NGOs. A total of thirteen were interviewed. Four of these turned out to have either been formed after 1999 or were operating in less than three districts. Information from these NGOs is included in those sections of this thesis which deal with broad NGO developments.<sup>7</sup> Factors considered in determining the final few to study in depth included the sectoral focus, and the links between the NGOs and the range of increasingly important NGO networks which were developing in East Timor,

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<sup>6</sup> Caritas Dili was previously known as Caritas East Timor and its mandate covered the entire province, but when a second Diocese was formed in East Timor it was renamed Caritas Dili (see Chapter Five).

<sup>7</sup> These NGOs were: Haburas, Halarae, CDEP, GFFTL, ETWAVE, SAHE, Timor Aid, Yasona, Bia Hula, PAS, ETDA, Roman Luan, JSMP.

in which certain NGOs were playing important roles. The intent was to select NGOs which came from a diversity of sectoral interests and which others saw as leaders. SAHE played a leading role in the Popular Education Network, whereas Timor Aid was less involved in networks, but its Director had been selected from a large meeting to chair a significant Working Group embracing government and civil society players.<sup>8</sup> This indicated that she was seen by others as a leader in civil society.

In the end, issues such as the availability of key people who had been central to the organisation through key periods was a consideration, as was trying to get a diversity of NGOs in terms of the organisational approaches to development outlined above. Some were excluded because their experience was rather similar to one already selected.<sup>9</sup> Timor Aid was chosen because of the very significant role it played during the immediate post-emergency period and because it had a very high international profile as a Timorese NGO, and SAHE was selected for a very different reason. SAHE was a research, education, media and activist NGO which drew in part on the early philosophical approaches of the Revolutionary Front for an Independent East Timor (FRETILIN), a liberation movement in the mid-1970s, which by 2003 had become the dominant political party in the first Timorese Government. SAHE grew out of a combination of the traditions of Portuguese liberation theology and the Indonesian student movement strategy to form ‘study clubs’, and began as one such club of Timorese students in Jakarta. While Timor Aid began from the initiative of Timorese in exile in Australia, SAHE began through Timorese in Indonesia itself. It might have been expected that these NGOs would have different analyses and approaches to the development of the new nation which would be interesting to explore. Thus the breakdown of those finally selected was as indicated in Table 1.

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<sup>8</sup> This was the High Level Mechanism relating to the implementation of the National Development Plan (see Chapter Four).

<sup>9</sup> For example Halarae was somewhat similar in its program focus to ETADEP, and Bia Hula was a similar single sector NGO, very close to an official aid donor, but with water and sanitation, rather than agriculture, as its expertise.

**Table 1 NGOs selected for case study research**

<b>NGO</b>	<b>Sector</b>	<b>Link to network</b>	<b>Comments</b>
HAK	Human Rights	Several, especially International Tribunal	Very well known NGO
FOKUPERS	Women's rights	REDE women's network	Most significant women's NGO
ETADEP	Agriculture	Member of HASATIL	Old, well established NGO
Caritas Dili	Health, Agriculture and others	Member of HASATIL	Significant humanitarian role before emergency; oldest NGO.
Timor Aid	Various (eg. Health, civic education, micro-credit, capacity development, language)	No leadership role in a network	Significant role after emergency. Director selected to chair Working Group from HLM meeting with Govt.
SAHE	Education, media	Popular Education network	Small NGO, but ideas appeared influential

Each of the selected NGOs was then invited to participate in the research. This involved meeting with the Director or Coordinator of each NGO to explain the research idea to them, provide them with an outline of the proposal translated into Tetum, and to discuss what might be involved from their side before seeking their agreement to participate. In most cases they agreed at the initial meeting, though in a couple of cases they wished to discuss with other staff first and subsequently advised me of their agreement.



### 1.3 Conducting the case studies

The approach to the study of the six selected NGOs was to write case studies of their changing roles and relationships, and their strategies over the five year period of the study, through interviews with current and former staff members and volunteers. A decision about who would be important to interview in each case was made in consultation with the NGO, to ensure that key personnel responsible for different aspects of its work over the five years were interviewed.<sup>10</sup> Often interviewees would indicate that another person would be able to give me more detail about a certain period or aspect of the NGO's work and such 'snowballing' would lead to further interviews. The number of people interviewed varied significantly among the NGOs, according to their size and complexity, the staff and volunteer turnover they had experienced, and the extent to which the individuals available had a broad overview or only a limited picture of the NGO's work.

A schedule of key questions was prepared to guide my interviews (see Appendix C), but in practice respondents talked freely, often providing me with a richness of data and stories about their experiences which rigid adherence to a list of questions would not have encouraged. A number of my respondents already knew me quite well, and knew that I had a level of knowledge of some of the events and experiences they talked about. My questions simply helped me to check as the interview progressed whether all the key issues I needed to know about had been covered. They were rarely used in a formulaic way.

In addition to the interviews with the case study NGOs I also interviewed people from key institutions with which they interacted, among them personnel from international NGOs, official donor agencies (bilateral and multilateral), local NGO networks, some government officials, including the Ministry of Planning and External Affairs and its NGO Unit, a member of Parliament, and people from the Truth, Reception and Reconciliation Commission. These interviews were intended to obtain stakeholders'

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<sup>10</sup> A small number of people it would have been desirable to interview were not available in East Timor or Australia; they were studying overseas and could not be contacted.

accounts of the roles of the relevant NGOs, and their relationships with them. As mentioned above I was also able to draw on the interviews I conducted with other NGOs to understand the broader developments affecting NGOs in general and to gain their perspectives on the way NGOs had responded to the changing environment and influenced the development of the new nation (Appendix D provides a complete list of all interviewees and other informants who provided information about the case study NGOs).

Most of the interviews with Timorese respondents were conducted in Tetum (sometimes with words, phrases or sections in Indonesian) with the assistance of an interpreter. Only a few interviews with Timorese people were conducted in English, while those with international players from a variety of nations were all in English. Finding a capable and appropriate interpreter was a difficult task. Considerations included whether the person would be trusted by all the NGOs, so that they could be open and frank about some of the issues they would want to talk about given the political complexity of East Timor; whether the interpreter would have enough knowledge of NGOs and the broad contextual vocabulary about development to be able to make sense of what the respondents were saying; as well as cost and availability. The demand for interpreters was strong at the time this research was conducted and many of the best were already contracted to development organisations.

In the end, I was fortunate to find a final year English student keen to gain interpreting experience in the development field, who was suitable. She fairly quickly grasped the particular vocabulary relating to NGOs, and my own grasp of Tetum and Indonesian coupled with my knowledge of the NGOs, was sufficient to be able to check if I thought she had misunderstood or missed important points the speaker made, and to ensure that we had properly understood. Almost all of the interviews were conducted with her help.<sup>11</sup> On my final visit to East Timor in 2005 when I was simply checking the release of the case studies with the NGOs, this interpreter was not available, so I

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<sup>11</sup> On the few occasions when she was sick or otherwise unavailable I was able to find a person close to the respondent who could assist.

worked with the assistance of another English student whom she had recommended. In fact on this occasion, most of the key NGO leaders whose agreement I needed were by then relatively more fluent in English and happy to converse in it. Accessing the interviewees was easy in theory, but more difficult in practice. The key NGO leaders were extremely overloaded people, balancing many demands on their time; other NGO workers were equally busy and often out in the districts or the villages; even when they were in town, sickness is common, as are other family emergencies. Thus while all the NGOs were quite happy to be involved in the research, some patience and persistence was required to find appropriate times to talk to the people essential to the study.

In addition to interviews I also gathered as much written material about the NGOs as was available, including newsletters, pamphlets, CD-Roms, evaluation reports, project documents, their own accounts of aspects of their histories in journals or newspapers, presentations they made, in one case a public ‘Open Day’ etc.—the amount of material available varied greatly among the NGOs. Where possible I attended meetings they held or at which their representatives spoke, visited some project sites, and generally immersed myself in their activities as far as time and resources (especially the limited transport) allowed (Appendix E provides a list of mainly internal documents and other sources of information which provided background about the case study NGOs).

The case studies were written drawing largely on the material provided by the NGOs themselves, and those who worked closely with them in government, donor agencies and international NGOs. Once sufficient interviews had been conducted relating to each NGO to satisfy me that I was able to identify the features and major transition points in the NGO’s role, and had identified the key issues emerging, the case studies were written in draft form. This confidence arose when interviews generally provided no significant new data but consistently repeated information I already knew. To my surprise, given the rapid change the NGOs had been through, there was a high level of consistency in accounts given by different people of what had taken place in the NGOs, making the task of writing the case studies relatively straightforward. Where inconsistencies were identified, I was able to clarify them during a subsequent visit. I

have not identified individuals in the case studies as some information provided was still sensitive at the time this research was conducted, and I decided that anonymity for my respondents was the best option. This was the basis on which interviews were conducted. I have however, given each interviewee a number, and provided references throughout using this numbering system. I have also referenced documents which provided complementary evidence.

Once written, each case study was provided in English and Tetum to the NGOs and they were asked (a) to correct any errors of fact, and (b) to indicate if they were happy with the case study, or material based on it, being made publicly available. This phase of the process was slow, and it seemed that the NGOs did not really understand that I was seeking their permission to use the information. It seemed that they simply expected me to use it and were also reluctant to correct anything I had wrong.<sup>12</sup> However, over time, some corrections were forwarded to me and permission granted to use the material. Some problems had emerged as the translations (mostly undertaken confidentially by the NGO East Timor Development Agency (ETDA) on a commercial basis) had not all been correct as written Tetum was still being standardised and differences of interpretation emerged. These had to be resolved.<sup>13</sup>

The case studies are set within a far wider context and it is to that which I first turn. Chapter Two explores more specifically what is already known about the role of local, as opposed to international, NGOs in emergencies and transitional and post-conflict societies. It also canvasses some of the issues which are reflected in the literature about local NGOs in development more generally. It notes a very limited range of studies which focus specifically on local non-government players through such a major transition period in the emergence and establishment of a new state in such a poor country.

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<sup>12</sup> There may have been a number of reasons for this among them: their own time and the priority they could give this; the fact that no-one had ever asked for such consent before; my status as an older foreigner who had assisted the NGO Forum; and their wish not to offend.

<sup>13</sup> In the case of ETADep, one of the experienced senior staff used the case study to make a presentation about the NGO at an international conference, thereby affirming for me that he was completely happy with what I had written.

Chapter Three traces the history of governance, development and civil society in East Timor itself. It describes earlier governance arrangements and sets the scene for the emergence of civil society and NGOs. It describes the roles local NGOs were playing during Indonesian time, and situates their experiences within a wider context, that is the nature of Indonesian development and military occupation of East Timor.

Chapter Four covers the various phases of relief and rehabilitation, reconstruction, peacebuilding, nation building and development which the small country experienced in the five year period from late September 1999 until the end of 2004. It explores what these changes were, how the local NGO community broadly experienced them, and how these organisations tried to contribute to the rebuilding of the country and towards shaping the new nation. This chapter highlights various steps or incidents along the way that the NGO community identify as significant to either shaping the role and nature of NGOs in the new state or to NGOs' role and input to shaping the nation. NGOs interacted with the many other players operating in East Timor throughout this period, among them the United Nations administration and peacekeeping operation, numerous UN development agencies, international financial institutions (e.g. the World Bank), bilateral development organisations, many international non-government organisations, the transitional administrations of the emerging East Timor Government, Timorese political parties, many newly formed local NGOs and community groups, and the predominantly rural communities of East Timor themselves. Everyone was struggling to come to grips with the new reality and to construct the new nation. It was no easy task.

This study explores, then, how selected NGOs made their contributions during a very critical period for the emerging nation. It examines some of the challenges they faced in doing that, and how they dealt with those. Subsequent chapters discuss in some detail how each of the six selected case study NGOs dealt with the changing environment, what roles they tried to fulfil, how they managed their relations with the

many stakeholders, and how they developed their own capacity to respond to the changed and changing conditions.

Chapter Five describes the experiences of the two oldest Timorese NGOs, Caritas Dili and ETADep, both of which were involved in agriculture and rural development, although Caritas Dili also had other significant programs, particularly in health.

Chapter Six focuses on the NGO which was initially known as Yayasan HAK, a human rights NGO established by students in the mid-1990s in response to the human rights situation; it became one of the best known and largest NGOs in the country, and had excellent links with international human rights NGOs.

Chapter Seven similarly describes the work of FOKUPERS, a women's NGO which grew from a Forum within HAK to concentrate on women's human rights. FOKUPERS particularly focussed on violence against women, initially related to military repression, but later broadened its mandate to embrace family violence and other priorities for women.

Chapter Eight explores the experiences of two NGOs which were initially established outside East Timor, SAHE by East Timorese students in Indonesia, and Timor Aid by exiles in Australia. Both established themselves inside East Timor before the violence of September 1999 and responded to the crisis along with others.

Chapter Nine draws out some of the main issues and trends identified in the previous chapters highlighting the way NGOs' roles have shifted during the various phases of the transition, how they tried to engage with and influence events, and the organisational transitions they experienced as they did so. This chapter also discusses the capacities the Timorese NGOs needed to survive in the rapidly changing environment and how they developed them.

Chapter Ten tries to draw some conclusions about the role that local NGOs played in post-conflict East Timor. It tries to assess the extent to which local NGOs contributed to the development of democracy, development and peacebuilding. It discusses their relationship to the newly emerging state, and the long term sustainability of their contributions to the new nation. Finally, some reflections on how civil society and NGOs may be conceptualised in post-conflict nation and state building conclude the thesis.

## **CHAPTER TWO**

### **POST-CONFLICT AND TRANSITIONAL SOCIETIES AND LOCAL NGOS**

This study focuses on a period in East Timor which was characterised by a series of transitions: from a highly repressive colonial state perpetrating significant human rights violations; through a UN sponsored self-determination process; significant destruction and terror following the ballot leading to a complex humanitarian crisis; UN intervention for emergency relief and subsequent reconstruction; a transition to independence and the building of a democracy; and the start of a longer-term process of peacebuilding and nation building. This chapter tries to establish what is already known from theory and research elsewhere about the roles of civil society, particularly local NGOs, in these different transitional and post-conflict contexts. It cannot canvass the vast range of literature on democracy, post-conflict and peacebuilding in general, although it begins by situating the specific context of civil society in post-conflict societies within a broader context of civil society and NGOs in development during the 1990s. It then examines the literature about civil society, especially NGOs, in different phases and roles in democratic transitions as well as in post-conflict societies. Studies from Latin America, Africa, Asia (especially South East Asia), Afghanistan and Bosnia-Herzegovina are discussed. However, discussion about civil society, NGOs and democratisation in Indonesia itself is covered in Chapter Five, on the history of governance, civil society and NGOs in East Timor, since the latter's history has been highly influenced by its former colonial power.



## **2.1 Civil society in development in the 1990s: diverse theoretical perspectives**

Development practice during the 1990s was dominated by a so-called ‘New Policy Agenda’ promulgated by the World Bank, other financial institutions and donor agencies (Gore 2000). While there were certain variations, there were two key elements of this policy approach: firstly, there was a faith in the efficiency of an untrammelled market to drive development through economic growth; hence the emphasis on reducing the size and role of the state, deregulation, privatisation, and economic liberalisation; secondly, there was emphasis on the need for good governance, variously interpreted to mean democracy, reduced corruption and greater transparency, adherence to market-friendly economic policies, reform of the public sector and promotion of civil and political rights. Those donors who emphasised the first strand, who saw the market as the key to development, tended to view NGOs as low cost service providers, either providing services in areas where markets had failed or were not appropriate (e.g. primary health care in rural isolated areas) or bringing markets to the poor (e.g. through the provision of micro-credit). This perspective is what Glasius, Kaldor and Anheier (2006:21) refer to as the ‘new public management and welfare reform’ approach in which NGOs are seen as among the new providers of welfare. Those concerned with the second strand tended to see NGOs as part of civil society which was seen as having a democratising role in relation to the state. In this case, NGOs were seen as a counterweight to repressive states, and a means of making states accountable to their citizens. NGOs could demand transparency and accountability of states and promote human rights. Glasius, Kaldor and Anheier (2006:21) also recognised a third approach which has been popular, one which emphasises civil society as contributing social capital through the participation of people in voluntary associations. Similarly, Ottaway and Carothers (2000) and Grugel (2000) noted the social capital and democratic rationales for civil society involvement in development,

but added a different third rationale—contributing to peace, conflict resolution and human rights (Grugel 2000, Ottaway and Carothers 2000).

Thus, for a variety of reasons, civil society had come to feature strongly in development policy and practice (Pearce 2000, Salamon and Anheier 1999) so that, writing in the mid-1990s, White commented, ‘Together with the market and democracy, “civil society” is one of the magic trio of development panaceas which emerged in the 1980s and now dominate conventional prescriptions for the global ills of the 1990s’ (White, G. 1996:178). Furthermore, towards the end of the 20th century it was becoming clear that civil society, including NGOs, had an inherently global dimension (Florini 2000, Glasius, Kaldor and Anheier 2006), thus exploring civil society within a nation would necessitate understanding its global linkages.

While much of the theory has been about civil society, donors became particularly enamoured of NGOs in the 1990s and they became officially-recognised players in the development endeavour. The World Bank saw them as efficient non-state channels in an era of anti-statism; progressive international donors, on the other hand, saw them as a means of helping the poor and powerless or as promoting democracy (Brinkerhoff 1999, Edwards and Hulme 1996, Pearce 1993). Within this context, NGOs became organisations everybody could love, but which meant very different things to different people.

Some of this diversity and ambiguity of expectation probably arises because civil society theory draws from several different political and philosophical traditions, which tend to become confused in development approaches. Ferguson’s idea of civil society (Ferguson 1767), developed from Hobbes’ earlier ideas (Hobbes 1660), contrasted it to a ‘state of nature’, the rampant individualism which emerging capitalism was expected to produce. Thus ‘civil society’ would temper social behaviour and maintain social cohesion. Hegel however, saw ‘civil society’ as potentially dangerous, and argued that it needed to be controlled to protect the public interest and ensure citizens acted morally. De Tocqueville, on the other hand, viewed a dense web of associations as a

means to deepen democracy, and enable citizens to check the power of the state (de Tocqueville 1988). While from a Marxist perspective, Gramsci saw civil society as an arena of ideological struggle for and against capitalist domination of the state and the society (Alagappa 2004, Van Rooy 1998). It seems that development practice has tended to be most influenced by the de Tocqueville view, with civil society linked strongly to the deepening of democracy and more participative policy development (Fukuyama 2001, Glasius, Kaldor and Anheier 2006, Kaldor 2003, Van Rooy 1998). However, almost all of these civil society theorists wrote from their analysis of the development of western forms of civil society in a particular European or USA historical period; as I will discuss later, the context in which civil society emerges, and the forms it takes, may differ substantially in quite different settings, such as Asia in the 21<sup>st</sup> century, casting doubt on some of the assumptions about civil society, democracy and development which development theorists and practitioners have adopted.

Kaldor, who sees NGOs as tamed versions of earlier social movements, questions NGOs' claimed separation from the state, suggesting that they may in fact reflect a more 'flexible state or the market becoming more embedded throughout society' (Kaldor 2003: 94-95). Various authors have argued that NGOs cannot continue to fulfil the functions of global welfare as well as representing themselves as alternatives to the dominant economic and social values. They argue that NGOs must take a more active role in shaping the global context rather than simply being determined by it (Commins 1999, de Senillosa 1992, Jennings 1995). The same could be said *within* national boundaries. Bebbington captures some of this dynamic:

NGOs have always been in part a response to state failure, in part a response to market failure, and in part a response to weaknesses in popular organisations. On some occasions, they have acted more like a state, other times more like an ally of the popular organisation, and on other, though fewer occasions, more like a (socially-orientated) market activator. This mixing of roles has never been easy, and has contributed to the crises that NGOs now face (Bebbington 1997:1764).

As Fowler (1997:30-33) recognises, the changing aid and development context in the early to mid-1990s generated a great deal of organisational reassessment and restructuring for both northern and southern NGOs. NGOs in the developing world were repositioning themselves in part in response to major societal and political changes occurring, for example in Latin America, sub-Saharan Africa and the former communist countries, and in part in relation to the way northern NGOs were struggling to reconcile their values base and voluntary principles in the new era of public sector contracting and market competition. Southern NGO responses, he claims, were shaped by 'ideology, donor pressure and local opportunities' (Fowler 1997:33). Fowler also recognises that an important factor in the history of many southern NGOs is their relationship to their colonial history. Citing Adam (1990) he refers to three responses: 'return to the past', 'seize the future' or 'transmission belt'. The first group seek to build their identity on pre-colonial values, religions or cultures which were suppressed during the colonial period; the second group find their identity through an analysis of both past and present oppression and the denial of basic human rights among the people; the third grouping simply help transfer aid (Fowler 1997:36). It would be expected that NGOs of each type might be evident in East Timor and that 'ideology, donor pressure and local opportunities' might indeed shape the work of Timorese NGOs.

## **2.2 Issues relating to NGOs in development**

Since this growing engagement of NGOs in official development work, there has been a proliferation of literature about them. Much of this literature has focussed primarily on the role and work of international, rather than local NGOs, although some of it embraces both.<sup>14</sup> In a wide-ranging review of NGO-related literature, from an

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<sup>14</sup> This literature, which grew rapidly in the 1990s, covers the role, structure and functions of these organisations and the impact that their activities have (Makoba 2002, Malhotra 2000, Pearce 1993, Reymeni 1997), their relationships to states and donors (Bebbington 1997, Brinkerhoff 1999, Edwards and Hulme 1996, Hateley 1997; Nelson 1995, Pfeiffer 2003, Stiles 2002), their accountability, effectiveness and impact on the ground including through their advocacy (Ebrahim 2003, Kelly and Chapman n.d., Najam 1996, Suzuki 1998), in particular whether their claims to reach and represent poor people and foster participation are borne out (Cleary 1995, Rumansara

anthropological perspective, Fisher recognised that ‘there are relatively few detailed studies of what is happening in particular places or within specific organisations...’ (Fisher 1997:441). He drew attention to the need to examine the way discourses about NGOs affect their practice; how interrelationships between them and other players, including the state and communities, operate; and how they evolve and develop in context (Fisher 1997:441- 442).

Indeed, whilst NGOs are generally recognised as distinctive types of development actors because they are values-based, there is some debate about the gap between the theory and practice of NGOs’ values, with suggestions that they often struggle to operationalise them (Mukasa 1999, Wallace 2000). In particular, some NGOs have been criticised for the apparent contradiction between their promotion of ideals of inclusive democracy and their hierarchical internal structures, although Smillie and Hailey’s study of Asian NGOs refutes these perceptions (Smillie and Hailey 2001). How NGO values are articulated through the range of roles which they play is another issue already referred to (Korten 1990). What is interesting is how NGOs manage diverse roles and combine them in an effort to meet their goals.

Through the nineties, a predominant thread in the literature on NGOs reflected a concern about the extent to which their relations with states and donors impeded their ability to retain their close relationships with, and primary accountability to, very poor and excluded people (see for example Bebbington 1997, Edwards and Hulme 1996 and 1997, Hadenius and Ugglä 1996, Khus 2000, Nyamugasira 1998, Stiles 2002, White 1999) although it is generally recognised that by their nature NGOs are more able and likely, compared to other development organisations, to be flexible, innovative and responsive to changing circumstances (Khus 2000). How NGOs gain and maintain their legitimacy is a further issue—it may come from their membership or from the quality of the service they provide to those with whom they work, and their expertise

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1998, S.White 1996, 1999), the nature and quality of their partnerships with local NGOs or CBOs (Brehm 2001; Fowler, 1998, Lewis and Sobhan 1999, Lister 1999, 2001, Jordan and van Tuijl 2000, Postma 1998, Malhotra 1997), their relationships to wider civil society (Kaldor 2003, Van Rooy 1998) and their work in conflict and emergency relief (Duffield 1997, Hulme and Goodhand 2000, Smillie 2001).

(Clark 2003). Najam (1996) lays out various ways in which NGOs' diverse accountability requirements can be met, including through codes of conduct, standard setting, and evaluation of programs as well as through transparency and reporting about financial and other matters.

A related thread in the literature relates to NGO partnerships. Originally 'partnership' was understood by NGOs as 'a code word to reflect humanitarian, moral, political, ideological or spiritual solidarity between NGOs in the North and South that joined together to pursue a common cause of social change' (Fowler 1999). Today partnership can mean almost anything—donors have partnerships with NGOs (Yonekura 2000) and NGOs have partnerships with the private sector (Murphy and Bedell 1999). The concept has been stretched almost to the point of meaninglessness. Hateley (1997) presents an analysis of partnership as either one-way and vertical in nature or two-way, more equal and mutual. Fowler (1998) believes that 'authentic partnerships' in which each partner plays an equal, if different, role and in which accountabilities are mutual, are rare, and Ahmad (2006) concurs. However, Hilhorst's anthropological study of a Philippines NGO illustrates how local NGOs, which are generally seen as 'at the mercy' of funding agencies, may be more powerful in relation to the donor than is usually imagined. These relationships are not simply contracts—they are negotiated processes, often of 'multiple realities' and multiple meanings. Even when donors and NGOs share the same language, their meanings or interpretations of it may vary (Hilhorst 2003).

There has also been a lively debate about the effectiveness and impact of NGO programs. Most official evaluations and reviews of donor-supported programs have found international NGOs (who frequently work in partnership with local NGOs) to be quite effective (AusAID 1995, DANIDA 1999, Riddell et al. 1997) but because of the diversity of NGOs and the range of work they undertake, it would be naïve to assume that problems do not exist. The literature often focusses on many of the problems, rather than the successes, and these may include ineffective programs with undesirable side effects, undermining of state programs, patchy services, jealousies and

competition between NGOs, and poor coordination (Fisher 1997, Pfeiffer 2003, Stiles 2002). NGOs have been criticised for failing to evaluate their work, and the question of whether and how NGOs learn and adapt has also been raised (Fowler 1997). Whilst some of this literature implicates local as well as international NGOs it is often focussed more on the latter than the former. However, even where NGO work is undoubtedly effective, development agencies are often critical of the small scale of NGO impacts. In response, some studies have investigated strategies for ‘scaling up’ NGO efforts generally (Chambers 1992, Edwards and Hulme 1992a and 1992b, Uvin and Miller 1999). However, when Uvin, Jain and Brown (2000) examined five Indian NGOs, they found that there were two major approaches to scaling up actually adopted by them: the first involved expansion, while the second involved increasing impact without getting larger. For example, they created other organisations, or persuaded others to adopt their strategies in a variety of ways. They become ‘catalysts of policy innovations and social capital’, creators of new knowledge, and of new organisations (Uvin, Jain and Brown 2000:1418).

The question of the capacity of international NGOs to develop the capacities of their local partners is another key issue emerging in the literature (Kaplan 1999, 2000, Low and Davenport 2002). Fowler’s (1997) ‘capacities framework’ provides a useful analytic tool for examining NGO capacities, which, combined with his model about how NGOs take development action, provides a useful framework for the investigation of NGOs in this study, without constraining it. There is clearly a tendency for capacity building to focus on donor system requirements, rather than on analysing the NGOs’ context and reviewing appropriate roles and strategies (Hudock 1997). There is thus a risk that local NGOs lose sight of their own mission and values and are not reflective enough of changing circumstances. A study of large South Asian NGOs suggests that the capacity to survive and become sustainable in the longer term is critical, and this requires NGO leaders to become ‘donor savvy’, having a vision of their organisation’s future, but being flexible about how to reach it, gain the trust of donors and legitimacy in the eyes of constituents, remain politically neutral, innovate, meet complex state and donor requirements, and develop social cohesion (Banerjee 2003). Pacific NGOs urge

more than skills training for individuals; they need organisational and network capacity development, management and leadership development and financial sustainability (Low and Davenport 2002).

Managing changing circumstances however seems critical to NGO survival and achievement. Smillie and Hailey studied nine Asian NGOs which they considered to have sustained success to explore how they had done this. Successful management of NGOs, they concluded, is about change management. Success was about how NGOs ‘understood and adapted or invented new ways of working towards the economic and social empowerment of the disempowered...It is about the management *of* change within organisations as well as management *for* change in the lives of people’ (Smillie and Hailey 2001: 2). They found four key themes arising from their research, which were ‘the importance and influence of context... time, timing, and the length of time it takes for change to happen’ as well as the need to balance formality and strategy with informality and flexibility, and the value of participative management (Smillie and Hailey 2001:160-161). These NGOs had survived through intensely difficult periods in the political environment in which they operated, had generally experienced a crisis at some time in their development, but had grown and could point to major achievements. Smillie and Hailey concluded that ‘the key learning competencies needed by growing NGOs are the ability to filter data and information, the analytic capacity to reflect on past experience, a hunger to learn and the insight actually to remember lessons’ (Smillie and Hailey 2001:72).

A final but somewhat different area of relevant literature is concerned with legal frameworks for NGO activity and standards and codes of conduct. Mayhew (2005) demonstrated the way in which national legislative frameworks reflect diverse responses to the NGO sector in four different Asian countries, ‘ranging from ideological control to state apathy’ (Mayhew 2005:729). However, laws are often very limited in scope and many developing country NGO consortia have developed peer-managed codes of conduct which govern their activities and set voluntary standards.



Their generally greater attention to donor and government accountabilities than those to their beneficiaries is, however, a weakness (Lloyd 2005).

### **2.3 Local civil society and NGOs in complex humanitarian emergencies and emergency relief responses.**

As a subset of the development literature there is a significant amount of material on complex humanitarian emergencies and emergency humanitarian relief, although relatively little of it relates to local NGOs. Some, however, discusses the role of civil society and its relationship to the collapsed or newly emerging state.<sup>15</sup> Emphasizing the political dimension of these events, Cliffe and Luckham (1999) refer to complex political emergencies (CPEs), identifying among them ‘reform or liberation wars’ (Cliffe and Luckham 1999:37), the type which East Timor represents. They recognise that when states collapse and humanitarian emergencies occur, even in the case of liberation movements, the regimes which emerge, though formally liberal democracies, are often severely affected by the years of conflict, the heavy presence of security instrumentalities and the weakness of ‘democratic conflict management’ (Cliffe and Luckham 1999: 39). They find that even when new states are established, old patterns of power are likely to continue (such as human rights violations, suppression of dissent and corruption). CPEs also leave their own legacies of state failure to compound the legacies of conflict, and these combine to affect state and local institutions, including the civil society, in many complex ways. Among the many challenges such societies face, are those relating to how a new state will relate to non-state players, and how trust and cooperation will be rebuilt.

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<sup>15</sup> There are three common elements in the diverse situations which the UN has termed ‘Complex Humanitarian Emergencies’(CHEs). These are that:  
‘The crisis is multidimensional, with profound human suffering; the roots of the upheaval are in part political, even if complicated by drought and other disasters; one dimension of the emergency is that the state is contested or collapses.’ (Pearce 1999:51). Although the scale and complexity of some CHEs, such as Rwanda and Bosnia-Herzegovina, is greater than in East Timor, as will be shown later, these three features were all evident there following the 1999 UN sponsored ballot.

Pearce suggests that CPEs of the 1990s are quite different from the conflicts of the Cold war era in Central America which arose in a context of strong and repressive states and an era of state led development. More recent CPEs emerged in contexts of weak states unable to maintain territorial control, in an era of globalisation and a reduced role for the state (Pearce 1999:54). The East Timor conflict, emerging at the end of 1999, was certainly an eventual outcome of the impact of global processes in Indonesia (the 'Asian crisis') (Nyman 2006), but in other ways it emerged from a repressive state context and was about the universal principle of self-determination. The state, initially very strong, collapsed in September 1999, and the UN took over its role.

However, Pearce argues that peacebuilding in Central America has nevertheless been negatively affected by the same processes which have led to the 1990s CPEs. In particular she highlights the failure of national elites to take responsibility for a more inclusive form of national development, and the persistence of now weak states which reflect elite interests. The welfare of poorer people has been left to NGOs and international actors, but remains aid dependent and hence, unsustainable. Thus donor support for civil society and local peacebuilding initiatives is having limited impact in the absence of strong national development goals and strategies. Donors also found it difficult to work with the popular civil society organisations who had mobilised and empowered people, were sceptical about donor motives, and lacked technical project management skills. Donors transferred support to new, less politicised NGOs who developed those skills. Divisions between NGOs and grassroots groups also emerged due to the latter's resentment about the funding flowing to the former.

Debates in the literature about the humanitarian emergency responses to these CPEs have frequently related to the politics of humanitarian intervention, the right to intervene and the issue of sovereignty. They have also focussed on the relationship of largely international humanitarian actors with military actors, issues of coordination, effectiveness and accountability for the quality of the response to a humanitarian crisis, and issues of protection and human rights in the response (Minear 2002, Quinn 2002,

Smillie and Minear 2004). Particular themes which are of special relevance to this study are those relating to the role of civil society in emergency and rehabilitation, local capacity building, and the relationship of international to national players (Smillie 2001).

While White (2000) saw four potential NGO roles in relation to intra-state conflicts, namely, relief and rehabilitation, human rights monitoring, early warning and mediation and reconciliation, Harvey (1998) was sceptical about what he called a 'civil society rebuilding approach to rehabilitation' which was popular among donors in CPEs in the 1990s (Harvey 1998:201). He, like Pearce (1999), believed this led to efforts to build civil society capacity without adequate attention to building state capacity. Noting that despite war and conflict, traditional and religious institutions may persist, he recognised that civil society was not entirely independent of the state, or of entities fulfilling some state functions, such as warlords. Thus simplistic ideas about building civil society failed to grasp the complex interactions and political dynamics in conflict and post-conflict environments, in which civil society space itself may be contested. Goodhand and Lewer (1999) were also sceptical about NGOs' capacities in such settings, beyond providing relief. Further, Harvey (1998) recorded the suspicion about NGOs generated in Somalia when, in response to availability of short-term aid funds, thousands of 'NGOs' formed to implement projects, with inadequate capacity building and accountability in place. Most disappeared as the aid funds dried up.

Minear (2002) noted the international humanitarian community's rhetoric on the importance of local participation in the response to a humanitarian emergency, yet commented that over a decade little had improved in practice. He suggested this indicates 'deeply rooted dysfunctional power relationships that underpin the humanitarian apparatus' (Minear 2002:56). He was concerned about the preponderance of international actors in emergency settings, and how unequal relationships established early on may constrain possibilities in later phases of recovery and development. He found that attitudes of foreign (and some local) actors were the key factor in determining whether existing local capacity was utilised and strengthened or

undermined. Further he found that generally, enhancing local capacity was seen simply as a means to an end (more effective delivery of relief) rather than an end in itself, for the longer-term.

The unequal power relations between donor agencies and local organisations are at the heart of the problems, but Zetter indicated that it was possible for local NGOs to successfully challenge the dominance of international organisations, citing examples of local NGO work in refugee assistance in Malawi and Zimbabwe (Zetter 1996). Studies in Afghanistan (Hulme and Goodhand 2000, Monshipouri 2003) also emphasised the important roles local and international NGOs played during and after the protracted conflict there, notably in providing relief, supporting projects in areas such as health, education, job creation, child survival, assisting women, restoring agriculture, landmine removal and water supply in rural areas. By helping restore social justice and economic development, and simply by operating freely, Monshipouri (2003) believed NGOs could contribute to peacebuilding there, so long as they maintained political neutrality.

Smillie offers a rare collection of case studies of efforts towards local capacity building in humanitarian emergencies, with a strong emphasis on gaining local perspectives (Smillie 2001). His research illustrated the difficulties of capacity building in contexts fraught with conflict. It also reinforced Harvey's (1998) view that in an emergency civil society may contract or expand, and illustrated the range of relationships civil society may have with the state from almost complete disengagement (Mozambique) to significant overlap and dubious independence (Sri Lanka). The question Smillie raised is whether international humanitarian agencies would see the value of developing local civil society to play a potentially significant role in their country's transition from emergency to some sort of normality, and to prevent it returning to conflict. He recognised many operational problems, among them the capacity of the capacity builders, issues to do with timing and funding, corruption, pressure for immediate outcomes, and the restrictive nature of contracting arrangements. He also discussed political issues, such as the partisan nature of some local civil society actors and the

reality that some donor support is short term and purely instrumental, with no concern for long term organisational sustainability. Finally he commented on motivational issues—whether the will was actually there to make the necessary changes to give local civil society a more prominent role in post-conflict emergency and recovery work. The Haiti case study in his volume demonstrates that this may only come about when circumstances force it, and through changes in donor procedures (Mangones 2001).

The Bosnian case study (Smillie and Todorovic 2001) raises some issues especially relevant to East Timor's circumstances. Few Bosnian government officials understood what an NGO was, and some were somewhat hostile. After the emergency there was a huge expansion of NGOs, and no legal framework for their operations. Donor priorities changed rapidly, so NGOs tried to keep pace with the shifting agendas and short term funding timeframes. Although donors proclaimed support for civil society, in practice they saw local NGOs as simply a cheap approach to residual social welfare (Smillie and Todorovic 2001:33). Donors failed to work closely with Bosnian NGOs, to support them in strengthening their own capacities for the long haul, and to help them develop a positive interaction with their government, including on the matter of NGO laws. Also relevant, because of the influence of the Timorese diaspora in Mozambique, is that country case study in Smillie's collection (Lubkemann 2001). It showed how the experience of Portuguese colonialism had prevented the emergence of a genuinely independent civil society until after 1975, when at independence, government was transferred to FRELIMO who then sought to control any local initiatives. These experiences encouraged local communities and associations to adopt strategies of 'exit' or non-engagement with the state, rather than 'voice', meaning advocacy and participation.

On a more positive note there is evidence of local NGO work in response to disasters being better recognised by developing country governments, in Bangladesh and India, where local NGOs have demonstrated capacity for disaster mitigation and response work (Matin and Taher 2001, Palakudiyil and Todd 2003).

The above studies illustrate the significance of the position adopted by the state on the nature and roles which civil society and NGOs may adopt after a crisis.

## **2.4 NGOs and democracy**

A second theme in the literature relates to civil society, NGOs and democracy. Much of the global interest in civil society grew out of the apparent success of the democracy and human rights movements which challenged communism in the eastern bloc and dictatorial regimes in Latin America, and played a major role in the anti-apartheid struggle in South Africa. Civil society—in the form of strong movements variously led by students, trade union members, churches, professionals, women's groups and many citizens—was seen as essential to the transition to democracy. Hence civil society attracted a normative meaning and soon became strongly associated with the idea of *building* democracy (Blair 1998).

However, specific literature on the roles of NGOs in processes of self-determination or decolonisation is almost non-existent, probably because most of these decolonisation processes in Asia and Africa occurred between the end of the Second World War and the 1960s, prior to the emergence of interest in civil society and before the 'association revolution' referred to by Salamon (1994) which led to the expansion of NGOs in the developing world. East Timor is a rare example of a decolonisation process conducted in the last decade, although far from unique in terms of UN election processes in other types of post-conflict environments (such as Cambodia, Guatemala, former Yugoslavia etc.). What literature there is refers to the growth of NGOs or the constraints on them *after* earlier processes of decolonisation and independence, such as in Nigeria, Malaysia and the Philippines (Bradley 2005, Case 2003, Silliman and Noble 1998, Wah and Teik 2002). In the latter case a weak government and poor economic conditions contributed to the rapid growth of civil society (Silliman and Noble 1998), whereas in Malaysia the strong authoritarian state and developmentalist approach with restricted liberties made the emergence of civil society more difficult (Wah and Teik 2002).

The literature in the area of civil society and democracy is highly normative and focuses less specifically on NGOs and more on the role of broad movements (Clark 2003, Keck and Seckink 1998, Kaldor 2003) in relation to democratic transitions and/or democratic consolidation (Diamond 1994). Clarke (1998) refers briefly to NGOs' involvement in both phases in Thailand, Philippines and Chile, but is a rare example. Yet Alagappa observes:

...the democratic-transition literature assigns civil society an important role in the prelude to the transition, although not in the transition itself... and the democratic consolidation literature posits the institutionalisation of civil society as a key condition for the consolidation of democracy, making it the only game in town (Alagappa 2004:31).

Haynes (1997) notes that broadly there are two types of 'action group' which have mobilised in the third world, those concerned with development and those concerned with a wider range of socio-political goals; he raises the question of whether the civil society which struggled against military dictators has the capacity to weaken deeply embedded authoritarianism in the society. White (G. White 1996) more optimistically suggests that civil society can foster democracy and good governance by altering the balance of power between the state and society in favour of the latter; playing a disciplinary and accountability role in relation to public governance standards; mediating the community's demands of and interactions with the state; and playing a 'constitutive' role, to redefine social norms and push for rules based on democratic values. Indeed, if, as Keane suggests, democracy is a set of institutions whereby power can be non-violently apportioned and monitored, the democratisation of the use of violence itself is vital (Keane 2004). However, the way power is exercised *within* civil society has a lot to do with the success or failure of a transition to democracy (G. White 1996). In the case of East Timor, non-state actors (militias) were terrorising the population, even as the civil society human rights movement tried to press their claims. Similarly, Alagappa argues that civil society is an area of governance in its own right: he cautions not to overlook the heterogeneity within civil society, and recognises that,

‘the control of violence is a major problem for civil society and the state’ (Alagappa 2004: 35). Alagappa recognises many functions which civil society may play in the arenas of political society, the state, broad socialisation and its own governance.<sup>16</sup> However the influence of civil society in any context will depend on the strength of other political forces in the state and the international environment (G.White 1996).<sup>17</sup>

Other studies of democratic transitions and civil society, particularly in Asia, challenge some of the western assumptions behind approaches to civil society and democratic transitions in the development literature (Lyons and Hasan 2002, Schak and Hudson 2003, Wah and Teik 2002). Civil society in Asia has diverse origins and histories, in societies in which the separation of the state from the civil society is not always as marked as in the west (Ma 2002, Morton 2005). Rather, civil society may be a zone of interaction, cooperation or compromise; even though it may help overthrow despotic regimes it may not necessarily create the conditions for democratisation. A history of corporatist states and authoritarian cultures with embedded patron-client relationships, the valorising of material development over democracy, the strength of family and kin networks, and the role of religion, may mitigate against a transition to liberal democracy, despite very active civil societies emerging (Hyuk-Rae, 2003, Lyons and Hasan 2002, Rowley 2005, Vichit-Vadakan 2003, Wah and Teik 2002, Weller and Hsiao 2003). Civil society may emerge from traditional forms into a ‘grey zone of organisations that mediate between the state and the citizenry but are not fully independent of the state as found in liberal democracies’(Lux and Straussman 2004:178), so that donor support for civil society may not necessarily help combat corruption— it may fuel it. Or civil society may be highly fractured along ideological lines and distinctly illiberal (Constantino-David 1997, Kostovicova 2006). Thus what kind of civil society may emerge in East Timor in relation to what type of state has to remain an open question.

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<sup>16</sup> See for example Table 1.1 Functions and roles of civil society, page 53-54, Alagappa (2004).

<sup>17</sup> The other major forces affecting East Timor’s transition to independence were the transitions towards democracy going on in Jakarta and international pressures on the Indonesian state following the Asian crisis of 1997-98 (Nyman 2006). This thesis is more concerned with what roles local Timorese NGOs played in this period and how those roles changed as events unfolded, rather than the impact of the wider Indonesian civil society on the democratisation process unfolding in the colonial power.



There are nevertheless examples in Asia, such as the Philippines and South Korea, where very active civil societies within a more liberal democratic political model have emerged. In Taiwan, social movements contributed to the democratic transition, which in turn helped the NGO sector to grow, with both service-providing and advocacy NGOs active (Hsiao 2003, Weller and Tsiao 2003). In Korea, movements of labour and the middle class broke through authoritarianism, but civil society groups themselves do not reflect participatory approaches and their effectiveness has been limited as they have not acted collaboratively towards common social goals (Hyuk-Rae 2003). Although NGOs have made the Philippines more democratic, in particular by shaping the agenda with new issues, there remain many areas where they have failed in their goals. For example, the elite political families still retain enormous power and control and there is oligarchic rule; for NGOs and civil society in contrast, 'democracy means people empowerment' (Silliman and Noble 1998:293). This may be related to what Hedman (2006) calls 'transformism', a process whereby radical pressures which crystallise into major civil society expressions (such as the non-violent overthrow of the Marcos regime in 1986) are 'absorbed' by conservative forces. 'People power' ultimately supports a form of liberal democracy that leaves undisturbed these gross power inequalities. Despite earlier ideological schisms in civil society (Constantino-David 1997), Ferrer (1997) notes that shared values are emerging and NGOs are maturing so that they can agree to disagree and yet work together. As they moved in the 1990s into closer partnership with a more NGO-friendly government, NGOs were also challenged to better organise the citizenry to have the capacity to push the state to meet their demands, to professionalise and develop technical skills for project work, to develop effective partnerships, and to address issues of sustainability (Aldaba 2002, Constantino-David 1997, George 1998). The Local Government Act of 1991, which gave NGOs roles on local development councils, contributed to the greater legitimisation of NGOs; those who built alliances with development-oriented officials, Manila-based networks, and scholars who could assist them were able to loosen the grip of local power elites and strengthen the people's influence (Brillantes 1994, George 1998).

As Mercer (2002) points out, civil society efforts to promote a 'democratic culture' can help consolidate democracy, but a fragmented or conflictual civil society can threaten the prospect of a stable democracy emerging (Mercer 2002:8). Mercer's review of the literature reveals that there have been three main arguments put forward as to how NGOs strengthen democracy: first, they are said to contribute to pluralism, through establishing networks and alliances that play a watchdog role—their sheer numbers are assumed to broaden out opportunities for advocacy and 'voice'. Secondly, they are said to contribute to a more inclusive democracy by engaging more marginalised people and enhancing their capacity to engage with policy; thirdly, they are believed to check state power and autonomy, and contribute to both democratic transitions and consolidation as a result. However, as Mercer points out, and some examples from Asia noted above illustrate, NGOs may well encapsulate contested views about the nature of the state or society; and they may indeed be vehicles in a wider project of transformation of traditional societies towards a more 'democratic' vision, thus strengthening the state. So NGOs can weaken civil society and either strengthen or weaken the state (Mercer 2002:12). They may not achieve broad coalitions, they may be captured in service-delivery roles, and they may lose their grassroots linkages in the process of transition itself. They may, in fact, find themselves entrenching an undemocratic status quo rather than transforming it (Wiktorowicz 2002). However, where regimes are newly democratising, NGOs may play valuable roles. They may 'strengthen the state through their participation in improving the efficiency in government services, acting as strategic partners for reform-oriented ministries, filling in gaps in service-provision and helping the government forge ties with the grassroots' (Mercer 2002:18). Yet others argue that donor support to NGOs in such contexts can undermine states (Fowler 1991, Marcussen 1996, Pfeiffer 2003, Tvedt 1998), for example by capturing precious donor resources or competing with states to provide services and command community loyalty.

NGOs may be seen not only as part of civil society but as facilitators or strengtheners of it (Mitlin 1998). Local NGOs have thus been assumed to be important players in

building a vibrant civil society, which is regarded as a prerequisite for effective democratic processes. This role for local NGOs has been the centre of extensive study (Clayton 1996, Hearn 2000, Howes 1997, Marcussen 1996, McIlwaine 1998, Ottaway and Carothers 2000). Jorgensen (1996) describes some of the trends, and in particular, the potential difficulties for domestic NGOs as they embrace this work. These include the danger of losing touch with their constituencies, the risks involved in adopting political perspectives in some situations and the difficulty of maintaining funding for such roles. Furthermore, Choup suggests that civil society organisations (CSOs) would only deepen democratic culture if their strategies contributed to legitimising and strengthening democratic structures and processes (Choup 2003). She notes that grass roots organisations in the Dominican Republic often by-passed these and went straight to the President, because it was most effective in terms of outcomes. Thus as she concluded, 'Democratic tendencies within civil society are limited by the effectiveness of democratic methods in obtaining government services' (Choup 2003:40).

Brinkerhoff also recognised that the extent to which civil society can play a role in policy development at the regional or national level depends to a great degree on the inclination of the state (Brinkerhoff 1999). He concluded that a number of factors were significant, among them the level of trust between the players, the existence of a clear legal or regulatory framework, the technical complexity of the policy being considered, and the mechanisms established for the partnership. He identified a number of measures which states need to take for effective partnerships, among them: creating the structures and mechanisms, especially decentralisation; building the capacity of the public sector to work with civil society; developing the legal frameworks and mechanisms; and having communication strategies for information flow to civil society (Brinkerhoff 1999:82).

Bebbington (Bebbington 1997) illustrated how changes in state roles in line with New Policy Agenda thinking have challenged NGOs in the Andes and Chile. During the period of repressive state-dominated development, NGOs played a resistance role, supporting the popular movement. After the change, while NGOs initially had some

influence on state policies, they soon became excluded from these opportunities and became program implementers, at risk of losing their original visions. At the same time, their relationships with popular organisations were also being challenged, with critiques of their effectiveness, transparency, and legitimacy, and greater reliance on the state and outsiders for their funds. In response, NGOs were developing a variety of sustainability strategies, among them, development consulting through subcontracting with the state and/or donors, becoming a social enterprise or assisting the poor with market access, including through credit and financial services, and returning to the *campesino* economy. But financing such work was not easy, and the alternative visions needed an economic base (Bebbington 1997). Similar challenges are likely to be emerging in East Timor, where the nature of the NGOs' relationship with the state has changed and the identities and strategies of NGOs will have to alter.

Research on local NGO policy and advocacy efforts is limited except where the focus has been on international campaigns and the dynamics of local-international partnerships in these contexts (Chapman and Fisher 2000, Clark 2003, Collins, Gariyo and Burdon 2001, Edwards 1993, Gaventa 2001, Keet 2001). The experience of the Uganda Debt Network, a 'southern' partner within the international 'Jubilee' debt campaign network, describes efforts of northern NGOs to build the local campaign's capacity and linkages between the local and global campaigns. It shows how capacity building of the Uganda Debt Network by international NGOs enhanced the effectiveness of the local campaign but also broadened the perspective of international NGOs' work. Thus a process of mutual capacity building occurred (Collins, Gariyo and Burdon 2001). A related area in which NGOs, as part of civil society, have been involved in trying to expand their impact has been through influencing development policy in the preparation of Poverty Reduction Strategy Papers (PRSP) as part of the World Bank's approach to the Heavily Indebted Poor Countries (HIPC) Initiative. Mercer (2003) however, showed that civil society participation was extremely limited in developing Tanzania's PRSP.

## 2.5 NGOs and peacebuilding

The third relevant strand of literature comes from peacebuilding studies. The peacebuilding literature indicates differing definitions (Cutter 2005), but peacebuilding is often viewed as a process which occurs after violent conflict has subsided—a ‘process of socio-political engineering’ (Labonte 2003:261). The UN views it as ‘a wide range of activities associated with capacity building, reconciliation and societal transformation... the phase of the peace process that takes place after peacemaking and peacekeeping’ (Maiese 2003:1). Yet NGOs may view it as a rather more all-encompassing term, which begins with early warning and conflict prevention, through peacemaking, peacekeeping and including humanitarian intervention, and the establishment of peace zones. Essentially, peacebuilding is ‘a process that facilitates the establishment of durable peace’ (Maiese 2003:1) to prevent the recurrence of violence. It involves changing the socio-economic conditions that lead to violence, rebuilding fractured social relationships, and healing the trauma. Peacebuilding and post-conflict literature recognises that all levels and parts of society need to be involved, especially women, that the process needs to be long term, requires care in economic development approaches, and that civil society, among others, has a role to play (Castillo 2001, Maiese 2003, Menocal and Eade 2005). Peacebuilding is distinguished from state building which refers to ‘developing the institutions of government’ (Chesterman 2002:47), a task which in East Timor was also the responsibility of the UN. Unfortunately, peacebuilding success is elusive as around half of all peacebuilding efforts fail within ten years (Collier et al. 2003); and there remain debates about the capacities, impacts and legitimacy of civil society in post-conflict settings (Fischer 2006).

Orjuela (2003) found during violent conflict in Sri Lanka, that although local civil society actors played a number of valuable peacebuilding roles, in particular public awareness, trust building and ethnic dialogue across the divide, advocacy and generating political pressure for negotiation, and contributing to reconstruction and development, the impact of many small, disconnected activities is hard to assess. The

rather top-down approach of NGOs and others, and the authoritarian tendencies within civil society organisations must also be recognised. Like others (e.g. Fischer 2006) she asserts that while a civil society contribution to peacebuilding is necessary it is insufficient.

Hulme and Goodhand's study of local and international NGOs' role in peacebuilding, encompassed case studies in Afghanistan, Liberia and Sri Lanka (Hulme and Goodhand 2000). Their research suggested that NGOs played only a minor role in peacebuilding, yet some specific interventions where they play to their strengths can be valuable. East Timor after September 1999 represents what they term a 'low risk/high opportunity environment' in that open conflict was declining and there were opportunities for peacebuilding. Their case studies identified eleven discrete roles which NGOs played in conflict, although they failed to distinguish clearly between local and international NGOs in their work. Nevertheless the roles they identified were: mediation/conflict resolution; building peace constituencies; demobilisation; human rights monitoring and protection; constitutional reform; local capacity building/institutional strengthening; socio-economic development; reconciliation; judicial reform; supporting local leadership; and advocacy/education. Importantly they commented that NGOs could be a source of peace leaders—individuals who could play extremely important stabilising roles in the reconstruction phase. Successful organisations which managed to get issues on the public and policy agenda had indigenous leadership, strong contextual analysis, were bold and creative, had strong networks, took a long term approach and were carefully supported. However, there were constraints, often related to donor environments. Short timeframes, frequent policy shifts, a tendency to foster risk avoidance and conformity, and time demands of rational planning, reporting, and accountability mechanisms all worked against good practice in civil society capacity building (Hulme and Goodhand 2000).

Civil society organisations also 'played an important role in peacebuilding processes at the local and national levels' (Leonhardt et al. 2002: 2) in both Guatemala and Kenya. In Guatemala, NGOs had been involved in the processes in a number of ways, among

them: providing input to the peace negotiations, addressing past violations, promoting specific issues relating to the justice system and impunity, promoting community dialogue and debate on violence and political issues, promoting women's rights and roles, assisting peasants to have a voice, and supporting returning refugees. The peace process had led many NGOs to 'fundamentally review their mandate, policy and programmes' (Leonhardt et al. 2002:14); some had influenced government policy making, but the NGOs faced major constraints due to limited and unreliable funding from donors. In Kenya, development organisations (the authors again did not distinguish between local and international, but it appears that these were mostly international NGOs) had recognised that conflict was impeding their work, and these organisations had tended to draw on specialist conflict resolution NGOs to assist them. NGOs were seen to have made a positive impact at local level through working with other civil society groups to create local peace forums. At national level, the National Council of Churches of Kenya had led the community dialogue around a constitutional review. Arising from both contexts Leonhardt et al. (2002) identified a number of key issues: the lack of clarity and agreement within government and civil society about the nature of the desired post-conflict society and strategies to achieve it, and the need for wide community dialogue about this; the need to enhance the effectiveness of NGO peacebuilding programs so as to enhance their legitimacy, through building organisational and human resource capacity as well as the ability to analyse and plan interventions in conflict settings; the need to build NGO advocacy capacity and coordination to achieve greater impact at a number of levels; and the problem of short term, project-oriented funding mechanisms which do not facilitate capacity building for the longer term, and NGO efforts to overcome this (Leonhardt et al. 2002).

In post-conflict Cambodia, Houn (1999a) described the emerging opportunities provided by the democratic space as well as the challenges local NGOs faced in responding. Notably there were external challenges related to the state and society and internal challenges relating to their own capabilities. The problems ranged from lack of funding and lack of cooperation to lack of capability and professionalism. While he noted that civil society made tremendous progress, he suggested that learning to build

‘consent’ (meaning learning tolerance, cooperation, compromise, and roles of opposition and civil society) was the most important challenge for the whole nation. This is a similar point to Leonhardt et al.’s about the need for broad community dialogue about the desired post-conflict society. Curtis (1998) recognised that NGOs had played a major part in various phases of Cambodia’s rehabilitation, reconstruction, and transition towards peace but that their roles changed over time and lack of trust made cohesive NGO development difficult. Yet they were channels for significant donor funds and some had become mature, capable organisations having development impact. Civil society was playing a number of roles, among them fostering people’s participation, reducing local poverty, promoting human rights and peace, safeguarding democracy, election observing, and fostering local dispute resolution mechanisms. But Yonekura (1999) disagreed that Cambodian civil associations had successfully persuaded the state to respect democracy, largely because of their weak autonomy from the state and donors, their limited capacities for participation and advocacy, and because of the lack of state will and neutral law enforcement post-UNTAC. Hourn (1999b) argued that Cambodia needed stronger grass roots democracy, which was a responsibility of government as well as NGOs, but the latter needed long term visions and strategies to achieve it. Curley also found that ten years after UNTAC issues of NGO sustainability and funding diversification were to the fore (Curley 2004). Heinrich found that, in the case of South Africa, NGOs had a valuable role to play in consolidating democracy, mitigating racial conflict, and advocating for the poor, but changing external conditions which required them to either charge user fees or become subcontractors to government, were limiting their space and capacity for pro-poor advocacy (Heinrich 2001). Thus research seems to indicate that funding imperatives may distract NGOs from what might be their most important contribution in post-conflict peacebuilding.

If local NGOs are often overlooked, local *women’s* NGOs can be even more excluded than others. Abdela (2003) noted that women’s NGOs in Kosovo had been excluded from any input to the internationally led reconstruction process. The women complained, ‘We have never felt so pushed aside as we feel now’ (Abdela 2003: 212).



Helms (2003) also found that women's NGOs led efforts at reconciliation and played many other humanitarian and social welfare roles in the post war reconstruction of Bosnia-Herzegovina, often with the support of international donors, yet had been marginalised from formal, male-dominated political power. Donors had supported civil society there to advance the idea of a unified, multi-ethnic state, but while women's NGOs had successfully cut across ethnic lines, Helms believes they were able to do that precisely *because* they were excluded from political power, and drew on their moral power. Similarly McGrew, Frieson and Chan (2004) found that although women were excluded from the peace negotiations, women's NGOs in Cambodia since the UNTAC period used UNTAC's emphasis on democracy and human rights to challenge violence and human rights abuses, strongly promote non-violence, and build partnerships with government on these and related issues; they demonstrated the positive role women can play in governance.

Women's NGOs can clearly play valuable roles in post-conflict settings, as the Leitana Nehan Women's Development Agency (LNWDA) in Bougainville illustrates (Hakena, Ninnes and Jenkins 2006). This organisation developed teams of community peace workers who tackled issues such as 'homebrew' and violence through awareness workshops, offered counselling, used radio and bush theatre activities, and had frequent interaction with community leaders, government officials and others in authority to promote non-violent conflict resolution and peace transformation. LNWDA was seen as successful in its peacebuilding work because it brought to it a wide range of relationships and networks across the society, was able to work with a range of different players, including men and the Catholic Church; by rejecting 'binaries' and accepting those who shared some if not all of their values, it was creative and risk taking in the approaches it used. LNWDA's national and international networks were also a major source of strength and support, and these expanded outwards and changed in nature over a twelve year period.

## **2.6 Civil society and donors**

A significant number of studies, as well as examining civil society, explore the impact of donor assistance on it. Van Rooy (1998) noted a wide range of reasons donors supported civil society, including to promote development, build social capital, contribute to equity, take over provision of key services, contribute to democratisation (through building institutions and a culture of democracy), and counterbalance the power of the state. She also identified some political agendas in donor support of certain civil society groups.

The literature indicates that some donors and writers have a stronger focus on the democratic role of civil society (Blair 1998) while others see civil society as a key to achieving poverty reduction. In particular USAID has focussed especially on the democratic role (Ottoway and Carothers 2001). UNDP has offered a broad rationale for working with civil society groups, noting that governments alone cannot do all that is required for sustainable human development and has attempted to build relationships between governments and civil society in transitional countries (Lillehammer 2003). UNDP sees citizens as ‘participants, legitimizers and endorsers of government policy and action, as watchdogs on the behaviour of regimes and public agencies, and as collaborators in the national development effort’ (UNDP 2001:2). An evaluation of UNDP support to six conflict-afflicted countries, completed since this study concluded, stated, ‘serious attention to civil society concerns is critical if political legitimacy is to be established’ (UNDP 2006:43).

In terms of civil society’s contribution to poverty reduction specifically, the World Bank argues that civil society organisations contribute to poverty reduction in six specific ways: promoting public consensus and local ownership of policies and poverty reduction strategies; giving voice to the concerns of the poor and marginalised; strengthening and leveraging impact of development programs; bringing innovative ideas and solutions to development challenges; providing professional expertise and increasing capacity for effective service delivery, especially in post-conflict

environments; and improving public transparency and accountability (World Bank Civil Society Team 2003: 4-5). These are some of the official reasons donors support civil society, but evaluations and research indicate that the consequences of donor support do not all match the rhetoric. Indeed UNDP found that its offices failed to engage with civil society and its concerns in the post-conflict countries studied. The evaluation attributes the failure to do this as cultural—the lack of local knowledge and language skills among international staff and their rapid turnover—as well as the lack of time to build solid relationships with communities. It also criticises the tendency of international organisations to delay development to the post-recovery period, and to ‘focus on humanitarian relief and macro-economic stabilization’ (UNDP 2006a:26-27).

Solis and Martin (1992) traced El Salvadoran NGOs’ experience before and after the signing of the 1992 Peace Agreement, following the decade-long civil war through the 1980s. During this period, NGO numbers trebled, and became the organisational expression of popular movements of poor, marginalised people and providers of humanitarian aid to displaced and affected people. Thus they emerged in response to an emergency, and were faced with a new situation when the peace agreement was signed. The Peace Agreement included a commitment by the government to develop a National Reconstruction Plan, and donors established a fund to support its implementation. Donors, especially USAID, sought roles for NGOs in areas such as democracy programs, social programs, environment and agricultural development, but as McIlwaine found, the Salvadoran Government preferred to confine itself to work with NGOs linked to businesses, rather than the social sector or ‘popular NGOs’ which had been closer to the Farabundo Marti National Liberation Front (FMLN) and played such key roles during the civil war (McIlwaine 1998). Experience from Nicaragua also indicates that post-war NGOs may find themselves competing among themselves and with popular organisations for funds and influence, and promoting projects which reflect donor priorities more than a long term development strategy; furthermore, in a period of change, roles of international and local NGOs may not be clearly delineated, methodologies may need to change, and independence from the political players must be maintained (Solis and Martin 1992:110). Similarly, Sabatini found the groups

donors supported in Latin America to be well-established elite groups, some working exclusively on democracy-related issues, others combining democracy work with a range of other objectives of a socio-economic nature. None had a mass membership base, and many were heavily dependent on donor support. He questioned whether international financing contributed to the distancing of these groups from the local political context (Sabatini 2002). Henderson (2002) also found that aid had led Russian NGOs to become preoccupied with their funders to the neglect of building constituencies; similarly short term funding approaches in Bosnia had ‘failed to strengthen the NGO sector’ and fostered an elite focus, distancing NGOs from the society and social campaigns (Fagan 2005:415-417).

Hearn (2000) was highly sceptical of donor support for civil society in South Africa during the transition from apartheid, arguing that the weight of international support to organisations willing to promote procedural democracy, regardless of the wider socio-economic benefits it may or may not deliver, was overshadowing earlier civil society goals of social democracy. She believed that that this implied no transformation of the highly unequal socio-economic order in South Africa. Landsberg (2000) added that as apartheid ended, civil society groups were able to attract far less support from donors than beforehand, as the latter had switched their support to the new state. This increased competition among civil society groups, and drew many away from grass roots work in an effort to nurture donors. Many NGOs were ill prepared for the rapid reduction of aid to the civil society sector, and had not developed strategies for sustainability. He argued that there was an urgent need for donor support for NGOs to help strengthen democracy at the grass roots.

Ottaway and Carothers’ study of US democracy assistance suggested that donors should not make the simplistic assumption that NGOs were the key to civil society. Many other types of organisation play crucial roles. They also suggested that the attempt to appear politically neutral through civil society support was flawed, since civil society engages in a political process, a point also made by Santiso (2001). However, in trying to assess the impact of civil society aid they examined three levels.

At the micro-level they noted the huge impact in terms of numbers of NGOs supported through civil society programs and acceptance of the idea of NGOs as the form of civil society in many countries. At the 'meso'-level, the impact advocacy NGOs have had on government policies is more mixed, in part because NGOs cannot always mobilise a broad constituency, although women's NGOs tend to be the exception. This was also true in the case of the Philippines where the focus of NGOs was on the participation of grass roots people in social and economic development issues, rather than on democracy for its own sake (Racelis 2000). Finally, they concluded that the influence civil society assistance had on consolidating the broader political transition to democracy was minimal compared to other factors (Ottaway and Carothers 2000). They also noted that transitions do not always follow a straightforward trajectory, and whereas NGOs may influence policies where transitions are successful, where civil space shrinks NGOs may be very important in simply keeping democratic ideas alive (Ottaway and Carothers, 2000: 309-11).

Donors can be naïve, believing that simply increasing the quantity of NGOs means that civil society is functioning well or that supporting service NGOs will contribute to democratisation (Fagan 2005, Hawthorne 2004, Jeffrey 2007); the international community failed to recognise that to build peace in Bosnia, NGOs had to engage with the complex ethno-nationalist politics, which was not a simple technical task but an intensely difficult and political one. Failure of civil society to engage with this, because of donor influence, perpetuated the politics of fear and hatred along with social fragmentation (Belloni 2001). However, over time, Bosnian NGO-government collaboration had been developed, although NGOs risked ending up distanced from the communities which they served (Jeffrey 2007) and looking more like 'para-state' organisations (Fagan 2005:413).

Other writers (Hadenius and Ugglä 1996, Stiles 2002) highlighted the risks of donor support for civil society creating donor dependence and reducing organisational accountability to members or clients or distracting NGOs from social mobilisation and empowerment of the poor, and alienating them from other parts of civil society.

Goodhand and Chamberlain (1996) also found that donor support for NGO relief activities into Afghanistan was often based on a limited strategic and political analysis of the conflict, and short-term donor support for NGOs had undermined longer-term NGO capacity building. Thus, in examining the role local NGOs have played in East Timor's transitions it appears important to examine the influence of civil society aid on this.

## **2.7 The emerging issues**

The literature reveals that while there is a great deal of discussion and theory about the role of 'civil society' and NGOs in development, including in post-conflict societies and peacebuilding, there is very limited research about what actually happens within and among local civil society organisations which experience a major humanitarian emergency (in which they are as much victims as anyone else), a dramatic collapse of the state, and an internationally supervised process of post-conflict transition to a new democratic government. Smillie's (2001) work comes closest to this, but it is a rare exception and its focus is particularly on capacity building. Yet, as Smillie and Minear comment, 'indigenous NGOs and civil society institutions based in conflict zones, (are) simultaneously the most important and least appreciated player' (Smillie and Minear 2004:16). International NGOs receive more attention than local ones, and often there are only 'snapshots' of NGO work in particular phases.

It is interesting that the three major strands of literature, to do with development, democracy and peacebuilding, rarely interact or speak to each other. One exception to this is some emerging work on post-conflict development (Junne and Verkoren 2005) which attempts to highlight what is different about development in post-conflict environments compared to so-called 'normal' development. Junne and Verkoren argue that development needs to take the conflict setting into account in its approach, and that conflict studies need to include development considerations in their work. They also recognise that a shift to democratisation 'implies nothing less than a cultural revolution in many societies' (Junne and Verkoren 2005:315) but they make no conclusions about

the role of NGOs or civil society. However, they recognise that because conflicts are embedded from local communities through all their national and international interlinkages, conflict transformation ‘has to be embedded in an overall development strategy supported by many different groups’(Junne and Verkoren 2005:325). The way in which NGOs conceive of the intersection of peace, development and democracy will therefore be an interesting consideration. Other specific (although sometimes related) issues emerge from the different literatures.

The **development and humanitarian literature** suggests a number of key issues to explore in this particular case study. Firstly, what roles local NGOs actually undertook through the various transitions is of interest; in particular, how they saw their tasks in relation to the broad themes identified in the literature, such as service provision, contributing to good governance and accountability, building social capital and encouraging participation, poverty reduction, promoting peace and conflict resolution and upholding human rights. It will also be useful to explore how their origins shaped their responses to the new environment after 1999. Did they ‘return to the past’, ‘seize the future’ or simply act as ‘transmission belts’ for the aid? What were the sources of NGO legitimacy, the scale of their activities, and the ways in which they attempted to expand their influence and their impact in the rapidly changing environment?

A second broad theme is how local NGOs related to the colonial and subsequent emerging state (and UN bodies exercising state functions) as well as the communities of East Timor, and the changing dynamics among them. To what extent did NGOs find that old patterns of power reasserted themselves and how did they address this? How local NGOs were engaged with the governance of the state or the governance of a diverse civil society itself will be of interest. The legal status of NGOs in the different periods and the changing administrative frameworks within which they operated will be examined, as well as how these changing political environments affected their community relationships.

Thirdly, the role of the international community and donors as significant players within this state-community-NGO dynamic is an issue. What influence did donors have on NGOs—and how was their support perceived? It will be important to understand how the partnerships with different international donors, both official and non-government developed, and how the local NGOs experienced them, as well as the extent to which the capacities of local NGOs were enhanced or excluded over the study period. To what extent were donors willing to work with NGOs and civil society engaging in an empowerment approach?

The **democracy literature** provokes other questions. How did civil society, and NGOs in particular, contribute to the transition to democracy and then its consolidation? In what ways did they attempt to do this—in terms of White’s, Mercer’s and Alagappa’s views about possible approaches? What kind of civil society was emerging and what was its relationship to the new state? How did NGOs relate to other expressions of civil society? Did NGOs strengthen or weaken the new state and how did they position themselves in the transition from a traditional society towards a democratic vision? How did state actions frame the scope of their possible contributions? What possibilities were there for partnerships with the new state? What was the scope for local NGO advocacy? Finally, what role did NGOs play in relation to wider civil society? Did they contribute to strengthening it? How did they interact between local community members and local state organs?

The **peacebuilding literature** suggests paying attention to the likely dominant role of international players in the early humanitarian conflict phase; the roles *local* NGOs play, particularly the roles of women’s NGOs, based on other studies of both international and local NGOs’ roles in peacebuilding; the constraints which donor behaviour placed on civil society and NGO capacity to act effectively; the mechanisms within the society for building consent or engaging in dialogue about the broad shape of the post-conflict society; and the capacities of the local NGOs to respond to the demands placed upon them.



Finally, the literature on **civil society and donors** indicates a need to observe donor interactions with NGOs and in particular to understand the influence and focus of the donors; the way donors and the state perceived the role of NGOs and influenced the ‘political economy’ of the civil society; how donors supported and shaped civil society, or withdrew from it in favour of support for the state; how donor relationships may have helped isolate NGOs from other parts of civil society or distorted their goals and their accountability to the community; how donors viewed ‘enhancing local capacity’(as an end in itself or a means to an end?) and the political nature of civil society itself.

These were some of the questions and issues relevant to the experience of East Timor which other studies had highlighted. Whilst they would not limit my enquiries, they clearly indicated features which might be important to understand, although I would be unable to consider all of them. The next chapter provides some historical background to the period under study, as it is essential to understand this history to make sense of the developments between 1999 and 2004. Civil society and NGOs emerged in East Timor from particular experiences, connections and contexts—from a variety of responses to the shared experience and pain of years of colonisation and eventual liberation.

## **CHAPTER THREE**

### **HISTORY OF GOVERNANCE, DEVELOPMENT AND CIVIL SOCIETY IN EAST TIMOR**

This chapter traces the early history of non-government organisations in East Timor and situates them in the wider governance, civil society and development contexts of the territory that is now the nation of Timor-Leste. Much detail about the history of the resistance inside East Timor has only become available through the work of the CAVR since independence, though a lot written prior to that focussed on the terrible human rights violations and suffering which the Timorese people endured. This chapter does not attempt to repeat the existing accounts of the pain and oppression the Timorese people experienced or the political and military strategies they undertook to win self-determination (Dunn 1983, CAVR 2006). Rather, it traces the governance of East Timor through the periods of Portuguese and Indonesian occupation, with a focus on the development of civil society organisations. It shows that, with the exception of the church, and from the mid-1970s, the different civilian elements of the independence movement, development of civil society and NGOs has been relatively recent in Timor-Leste. Governance has otherwise been dominated by traditional systems and colonial states until the late 1990s: prior to that the conditions for the free development of a significant modern civil society simply did not exist.

#### **3.1 Governance before Portuguese colonialism**

East Timor has a history of 400 years of Portuguese colonialism followed by Indonesian occupation from December 1975. Prior to Portuguese colonialism the island of Timor comprised two kingdoms, both largely located in what is now West Timor. What is now East Timor comprised several small kingdoms, each governed by a king or *liurai*, with sub-units known as princedoms (Ospina and Hohe 2002).

Ospina and Hohe (2002) describe the structure of a kingdom, based on the *liurai*, whose position of political authority derived from his membership of a sacred house. Relations between kingdoms were often war-like, but peace arrangements could be sworn with a blood oath. Family relationships were complex and developed through marriages between houses. Wife-giving houses were seen as giving fertility and life, a great value, and marriage negotiations involved exchange of goods between the wife-taking family and wife-giving family. In this traditional cosmology, outsiders are always associated with political authority and wife-taking, whereas indigenous houses ('Lords of the Land') are associated with ritual power, wife-giving and fertility. Ritual power is far greater than outside powers have realised, and traditionally it was always ritual power holders who appointed political authorities. Thus in this period, governance was clearly embedded within a coherent social and cultural system and a holistic cosmology (Hohe 2002a, 2002b).

### **3.2 Portuguese colonialism**

Portuguese first arrived in the region and formed a base at Malacca in 1511, landing in Timor itself in 1515. Portugal established its presence as a colonial government in Timor, initially in Lifau (Oecusse), moving its base to Dili in 1769, after protracted conflict with the Dutch over control of the islands of the region (Dunn 1983, Taylor 1999). When Portugal developed a political administration over what is now Timor-Leste<sup>18</sup> its colonists had already begun to plunder the area's sandalwood timber wealth, and colonial missionaries had actively promulgated the Christian faith (Dunn 1983, Ospina and Hohe 2002, Soesastro 1988, Taylor 1999). Portugal's administration had little effect on the traditional governance system of East Timor, which was divided into 62 small kingdoms, each under a '*liurai*' chief, and further sub-divided into a number of clans. The Portuguese used this system to retain indirect control over much of its territory for most of its colonial rule, and political authority remained with the *liurai* system until late in their administration (Sherlock 1983). From a Timorese

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<sup>18</sup> The political boundaries between what is now East and West Timor were only settled between Holland and Portugal in 1914 (Durand 2006: 281-298).

cosmological perspective, Portuguese were perceived as the ‘younger brothers’ who had travelled overseas and returned to ‘introduce political values’ (Ospina and Hohe 2002: 47).

With the vast majority of the population living in rural areas and engaged in subsistence agriculture, social life was largely restricted to the village, and religious life was shaped by animism, with great reverence given to the *‘luliks’*, or sacred objects. People lived in their traditional kinship groups, small hamlets and loosely organised villages. Visitors in the mid-1800s described East Timor as miserably poor, with the colonisers having an oppressive, exploitative relationship with the local Timorese (Dunn 1983, Ospina and Hohe 2002). Subsistence and smallholder agriculture were the main economic activities, although Dunn notes that by the mid-1850s small amounts of wheat, sugarcane, coffee and potatoes were being exported. Chinese dominated the retail and trading sectors, especially in the major towns, and were viewed as exploitative by local Timorese, as they paid low prices for agricultural produce but charged exorbitantly for essential goods (Dunn 1983).

From the mid-1850s the Portuguese organised East Timor into eleven districts, each under the control of a military commander, whose main responsibility was the collection of taxes, but this again had little impact on the traditional structures. The Portuguese used the local *‘chefe de suco’* to collect the taxes and manage their limited administration (Ospina and Hohe 2002). Towards the end of the nineteenth century Portugal sought to generate more wealth from its colonies, so it introduced coffee to East Timor as a cash crop, later adding copra as well. The colonial power also introduced a head tax and a system of forced labour to make people produce over and above their subsistence needs, which caused significant resentment. This resentment built up and towards the end of the nineteenth century a series of bloody rebellions and uprisings against the Portuguese administration occurred, which were violently crushed. These reduced the population and shattered the limited economy. Food output, coffee production and livestock numbers were dramatically reduced (Dunn 1983, Soesastro 1988). Best known of these uprisings is the 16 years of rebellion by many

*liurais* under the leadership of the *liurai* of Manufahi (Same) which culminated in violent clashes between 1910 and 1912. During this period some 3,000 East Timorese were killed and another 4,000 captured (Ospina and Hohe 2002, Taylor 1999). In response, the Portuguese set about abolishing the *liurais*' kingdoms. They re-divided them into '*sucos*' (princedom) and introduced the new smaller administrative units, '*posto*' and '*conselho*', in an attempt to destroy the traditional power system (Ospina and Hohe 2002, Taylor 1999).

The post World War One period of colonial rule was relatively calm, and people's subsistence and barter economy thrived (Dunn 1983) but the Second World War brought further disruption and devastation to East Timor, with major conflict between the Japanese and the Allies fought out in East Timor's mountainous terrain. An intelligence report in 1943 indicated that prior to the Japanese invasion there were now seven major administrative units (which it termed provinces), each administering eight to ten *postos*, and below each of them up to 12 *sucos*, each comprising up to 15 villages, in a complex settlement and administrative hierarchy (Allied Geographical Section 1943: 68-70). How accurate this was is hard to assess. The majority of Timorese fought courageously with the Allies, who acknowledged their invaluable support. However, the Timorese people's suffering under the Japanese occupation was immense, as the intense fighting again wreaked havoc on their agricultural livelihoods, and bombing campaigns destroyed much essential infrastructure. At least 40,000, perhaps as many as 60,000, Timorese died (Dunn 1983, Taylor 1999).

The Portuguese administration, which had fled, returned once the Japanese had left, again using a system of forced labour to rebuild the infrastructure destroyed in the war (Taylor 1999). However, there was little significant post-war development during the late 1940s and 1950s, although agricultural production and livestock numbers began to recover by the early 1960s (Dunn 1983). Dunn also notes an expansion of primary schooling by the 1970s. Returning to Dili in 1974 after a lengthy absence, he describes the dramatic increase in students and primary schools from only 8,000 students in 39 primary schools in 1953 to 60,000 students in 456 primary schools (Dunn 1983:7-8).

Catholic schools educated 60 per cent of primary school age children, while colonial schools were reserved for '*assimilados*' (assimilated as Portuguese) and '*mesticos*' (mixed race people) (Taylor 1999). There was still very limited access to secondary education, with just one government high school founded in 1965 (Hill 2002), no tertiary education locally available, and by 1974 only 39 students were attending university in Lisbon (Taylor 1999).<sup>19</sup>

People's health was poor; tuberculosis was common and malaria prevalent in the coastal lowlands. Health infrastructure was limited, but at least on a par with that in the region at the time, and better than some. Two hospitals, eight district clinics and 48 health posts existed (Dunn 1983:45). Dunn also noted big changes in the towns, with the emergence of a significant Timorese elite, and growing numbers of Timorese in the administration, the church and the military. Much of Dili's essential infrastructure was not developed until the 1960s (Nicol 2002, Soesastro 1988) and Dunn comments that in the dry season 'it was possible to travel by four-wheel-drive vehicle to any part of the province', although this was impossible in the wet (Dunn 1983:30).

In 1964 an 11-member local Legislative Council was set up, later broadened to a Legislative Assembly of 21 members, 10 elected from a small electorate of the propertied and literate elite, a further 11 appointed to represent different interests. This body was officially to 'advise and assist' the governor (Dunn 1983:38), and as Dunn notes, its composition always assured him of support. Its few Timorese members were mostly certain *liurais* whose interests were served by perpetuation of Portuguese colonial power. Only *assimilados* could vote for this body and the Portuguese National Assembly. To be an *assimilado* a person had to speak Portuguese, earn enough income to support his family, and be 'of good character'. Nicol estimates that only two percent of the population was eligible to vote (Nicol 2002). The rest of the population were

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<sup>19</sup> Hill (2002: 34-39) describes the role of the missions and religious orders, the army and the Chinese community in Dili in running schools in this period; the Catholic orders (Canossians and Jesuits respectively) ran a school for girls at Ainaro and for boys at Soibada as well as the Jesuit seminary at Dare which provided the only avenue to secondary education for most Timorese. The *liceu*, or government secondary school, was only established in 1965. There was also an agricultural and vocational school near Baucau, a technical college, and a teacher training college for primary school teachers.

designated '*indigenes*', a designation which Taylor believes had an important effect on the emergence of indigenous elites in the independence movement itself (Taylor 1999).

As Portuguese colonialism came to an end, following the 'Carnation revolution' in Portugal in April 1974, Dunn records that the economy had changed little. Most people were still surviving through subsistence, with maize as the main crop. The Chinese controlled the trading,<sup>20</sup> and a growing part of the coffee business, manufacturing was small scale artisanal, with wood crafts, textiles, alcohol and baking as the main examples. There was some foreign mineral exploration and a little interest in the potential of tourism, but political instability soon discouraged both (Dunn 1983). Soesastro describes Portuguese colonialism as exhibiting 'all the symptoms of colonial neglect and indifference' (Soesastro 1988: 209)—a colonial attitude which was to change radically in the subsequent Indonesian occupation.

Taylor argues that despite the colonial power's efforts to undermine traditional systems, these had largely failed. Post World War Two the *liurais* and the *sucos* were the bases of socio-political power, with the Chinese holding the commercial power. At the middle of the twentieth century,

'All the basic elements ensuring the reproduction of indigenous society were still firmly in place—kinship systems, ideologies legitimising traditional rule, a self-regulating political system, a self-sustaining subsistence economy and a culture based on notions of reciprocity and exchange' (Taylor 1999:15).

Ospina and Hohe illustrate how this occurred through the incorporation of colonial powers into the traditional cosmology and power structures of East Timor (Ospina and Hohe 2002).

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<sup>20</sup> Taylor notes that at the end of the 1960s, 397 of the 400 retail outlets were run by Chinese families (Taylor 1999:16).

### 3.3 Civil society in the Portuguese period

The Church was the most significant example of what is now known as a ‘civil society’ organisation during this period of Portuguese colonisation, although at that time it officially represented the colonial power in its education role (Hill 2002).<sup>21</sup> In the early colonial years missionaries were active (initially from a mission station established in Solor as part of the Malacca diocese) and the *liurais* were early converts (Dunn 1983:15-16). The Church was favoured by the colonial state as a unifying presence and it appears to have had a cosy relationship with the Portuguese authorities, whilst assisting its Timorese parishioners resolve some of their grievances with the colonisers. Its outreach was often more extensive than the colonial administration and it played a valuable educational role, particularly running primary schools. The Jesuit seminary in Dare played an especially important role in raising awareness among its seminarians about the colonial plight of the Timorese, and about the development of nationalist movements elsewhere in the world. Its graduates were to play significant roles in the independence movement (Dunn 1983).

Other ‘civil society’ organisations served the colonial power exclusively. In fact, the Portuguese colonists tolerated little freedom of association and only limited freedom of expression. One newspaper and a radio station were Portuguese controlled, and a single political party, *Accao National Popular*, functioned to promote the colonial regime (Dunn 1983, Taylor 1999, Nicol 2002). However, two Catholic newspapers, despite limited circulation, took a more independent line and provided an early opportunity for voices of pro-independence Timorese to be heard, albeit usually anonymously. *Seara*, for example began publishing in the 1960s (Hill 2002, Taudevin 1999, Taylor 1999) and was widely read for over 30 years (Crowe 1995). Unions and professional associations existed and had representation among the appointees on the Legislative Assembly (Dunn 1983).

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<sup>21</sup> As a result of the Concordata signed between the Portuguese State and the Vatican in 1940, followed by the Missionary Statute in 1941, the Missions took responsibility for education of the indigenous people in the colonies (Hill 2002:36).



Immediately after Portugal's abrupt change of policy on East Timor in 1974 local political parties formed and decolonisation talks began. The *Uniao Democratica Timorese* (UDT), which supported self-determination in federation with Portugal, drew its support from Dili's administrative leadership, plantation owners, and a number of *liurais*, especially from Ermera, Maubara and Maubisse. *Associacao Social Democratica Timorese* (ASDT), which in September 1974 became *Frente Revolucionaria do Timor-Leste Independent* (FRETILIN), also derived support from the urban elite and some *liurais*, but drew especially on a young constituency. ASDT called initially for gradual independence, and had a strong participative social program approach, with stress on literacy, agriculture, health, and Timorese culture. However, the name change signalled a shift in favour of speedier independence. *Associacao Popular Democratica de Timor* (APODETI), a pro-integrationist party, only had a few hundred supporters, while three other parties (*Klibur Oan Timor Asuwain* [KOTA], *Partido Trabalhista* and *Adlita*) never gained significant membership. By late 1974 FRETILIN had eclipsed UDT as the largest party; it had an extensive network across the rural areas, and gave special focus to agriculture and the Tetum language (Hill 1980, Joliffe 1975). Its mass organisations for youth (*Organizacao Popular dos Jovens de Timor*) and women (*Organizacao Popular da Mulher de Timor*) played important roles in this work. OPMT, for example, was established in 1975 to engage women in the anti-colonial struggle and to challenge the discrimination women experienced. These mass organisations played important roles in childcare, education, health and local administration. Early in 1975, in the face of potential Indonesian invasion, UDT and FRETILIN formed a pro-independence coalition. During this period, in March 1975, an Australian civil society delegation visited East Timor, hosted jointly by FRETILIN and UDT. Among those the delegation met was a large crowd from the Timorese Workers Union which encompassed all employees in the Province. This union was organised by FRETILIN which itself grew from the Committee for the Defence of Labour. They also met the national student union, *Uniao Nacional de Estudantes de Timor* (UNETIM), which had delegates across the Province; both the union and the student organisation were assessed as strong and active (Joliffe 1975). This coalition between FRETILIN and UDT did not last however. While

decolonisation talks had begun, a brief civil conflict ensued between these two political parties. In August 1975 UDT staged a coup, and started rounding up and killing FRETILIN members, but by the end of the month, FRETILIN's far greater strength had crushed them, and FRETILIN moved to form a government.<sup>22</sup> The impotent Portuguese authorities had meanwhile fled to the island of Atauro.

It was during this period that international non-government organisations first became involved in East Timor. Initial humanitarian assistance to East Timor following the civil war came from a new Australian NGO, Australian Society for Inter-Country Aid-Timor (ASIAT), which provided medical assistance, followed quickly by the International Committee of the Red Cross (Hill 1980). In October 1975, a delegation from the Australian non-government aid agencies' peak body, the Australian Council for Overseas Aid (ACFOA), also toured the country, and met with FRETILIN cadres, the head of the Economics Commission, the Timorese Women's Organisation (OPMT) and the Catholic Bishop, among others. They recommended immediate help as well as a long term strategy for assistance to health, agriculture and education (Hill 1980, 2002). That help was provided by ACFOA in the form of an initial shipment of food and the presence of David Scott on the ground until the Indonesian invasion (Scott 2005).<sup>23</sup>

On 28 November 1975, expecting an Indonesian invasion at any moment, FRETILIN declared independence, in order to make an appeal to the UN. Immediately afterwards, UDT joined APODETI to declare integration with Indonesia (Dunn 1983, Taylor 1999). Fear of FRETILIN's communist tendencies, seemingly exaggerated Indonesian accounts of the flow of refugees crossing the border into West Timor, and Indonesia's territorial ambitions opened the way for western powers to turn a blind eye to the Indonesian invasion. The invasion in December 1975 was swift and exceptionally bloody (Dunn 1983).

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<sup>22</sup> More detail about the history of East Timor's political parties is contained in Walsh (2001).

<sup>23</sup> David Scott was at the time the Chair of Community Aid Abroad, later to become Oxfam Australia. He had planned to assist with further shipments of rice, corn and other necessities via the Australian Red Cross and Taiwanese authorities, but was forced to leave in fear of his life as the invasion took place.

### **3.4 ‘Development’ in East Timor under Indonesian occupation**

The very short-lived civil conflict and the subsequent Indonesian invasion of East Timor had a devastating effect on East Timor’s economy and people. Tens of thousands of people lost their lives.<sup>24</sup> In the 12-18 month period following the invasion Indonesian troops used an ‘encirclement’ strategy to relocate people and totally restructure Timorese society (Taylor 1999). Many found themselves in shocking conditions in resettlement camps. Food production and livestock numbers plummeted, and a large scale famine ensued, as a result of which many more lives were lost (CAVR 2006 Section 7.3).

Aid was initially channelled through the Indonesian Red Cross, an army-controlled organisation. Outsiders had little confidence in its distribution, fearing that much was being diverted and sold (Dunn 1983). It was not until four years later, in 1979, that the International Committee of the Red Cross (ICRC) and the US NGO, Catholic Relief Services (CRS), were allowed into East Timor but strictly on the Indonesian Government’s terms. The ICRC was still constrained to work through the military-controlled Indonesian Red Cross, while CRS, which had a far larger program, collaborated directly with Indonesian authorities. It assisted with food and medical care for some 300,000 people in 150 resettlement camps described by Taudevin as ‘concentration camps’, rather similar to the strategic hamlets used in other war settings (Taudevin 1999). Thus CRS, funded largely by USAID, assisted the Indonesian Government to move people to areas of its choosing and confine them there. So while ICRC and CRS programs alleviated the worst of the suffering, and the famine was considered over by 1981, the CRS in particular had, with USAID support, played into the hands of the Indonesians by assisting them to establish people in strategic settlements where they could best control them (CAVR 2006: Section 7: 223-248, Dunn 1983, Hill 1980)

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<sup>24</sup> Dunn says aid workers estimated one tenth to one third of the population perished (Dunn 1983:329).

Overall recovery of the economy from this devastating period was slow, hampered by security considerations, and characterised by rampant exploitation of Timor's natural resources by the Indonesian military and a monopoly company, PT Denok, under the control of some of its generals. In 1981 the Timorese local Assembly complained about this exploitation, the level of corruption and human rights atrocities, as well as the lack of employment opportunities for Timorese people and their generally poor socio-economic conditions since the Indonesian invasion (Dunn 1983, Soesastro 1988). By the mid-1980s East Timor's economy was growing at around six per cent per year, driven particularly by government expenditure on infrastructure, especially transport, in part to stimulate trade, but no doubt with security considerations to the fore. As Schwartz notes, the 'security approach' formed the core of the policy, and Indonesia saw the problem in East Timor as poor implementation of integration. They did not (or chose not to) recognise that the Timorese rejected integration altogether (Schwartz 1999). The extensive road network gave the Indonesian military greatly improved access to the population. There was also considerable spending on health and education but there remained much to be done to strengthen the coffee industry and agriculture more broadly (Soesastro 1988). Higher levels of growth continued in the late 1980s and early 1990s, but this did not translate into better social indicators in East Timor, whose population remained extremely poor, was poorly nourished, and had high levels of illiteracy (Azis 1996).

In the early 1980s, Indonesia held the first elections for village chiefs which had the appearance of modern democracy, but in practice reflected traditional power. Candidates were often selected by traditional power-holders and elected officials were frequently from the correct political house, as Timorese endeavoured to retain their traditional social systems despite the turmoil the society had endured (Ospina and Hohe 2002). During this period, following the Indonesian takeover, the now clandestine independence movement within East Timor reorganised into small cells with direct links to FRETILIN and FALINTIL, the armed wing (CAVR 2006 Part 5, Pinto 2001).

### 3.5 The Resistance: hidden governance systems

The brief period prior to the Indonesian invasion, during which FRETILIN had been able to organise people through a socio-political program, had been important. FRETILIN renewed its efforts in its '*zonas libertadas*' (liberated zones) in the mountains and forests as soon as it was able to after the occupation. For example, initial efforts by the Popular Organisation of Timorese Women (OPMT) and Popular Organisation of Timorese Students (OPJT) to organise food for people in Covalima District displaced by the invasion are recorded by CAVR (2006 Section 7.3 Paragraph 96). At this time, FRETILIN developed a civilian administrative structure from the sub-village to the district level for the areas it controlled. Its civilian political structure oversaw its military command. In this first period between the 1975 invasion and mid-1976 FRETILIN organised civilians in '*bases de apoio*' (resistance support bases) which the armed movement FALINTIL protected. However, by mid-1976 the Indonesian military had carried out their extensive 'encirclement and annihilation' strategy, which destroyed the liberated zones; the FALINTIL guerrillas who had escaped attack were surviving on the run in the forests, and had to be supported primarily by clandestinely organised civilians now living in the Indonesian occupied area.

Following this shattering defeat, reorganisation was necessary so in 1981 the Revolutionary Council of National Resistance (*Conselho Revolucionario de Resistencia Nacional*, CRRN) was created to lead the resistance. In practice FALINTIL, as the only effective resistance player at that time, took a strong leadership role. By 1987, in an attempt to be more inclusive of all pro-independence political parties and movements, the CRRN was replaced by a new formation, the National Council of Maubere Resistance (*Conselho Nacional da Resistencia Maubere*, CNRM), which gave high priority to developing the diplomatic struggle and garnering international support. By now, the resistance was clearly organised into three streams: the armed wing through FALINTIL, the cells of civilians working clandestinely inside East Timor (and through students in Indonesia), and the international diplomatic efforts. FALINTIL cut its specific ties with FRETILIN to fight for the CNRM

movement as a whole, and this arrangement continued through the transformation and development of the CNRM to become the broad and inclusive National Council of Timorese Resistance (*Conselho Nacional da Resistencia Timorense*, CNRT) in April 1998 at a meeting in Portugal at which the Timorese ‘Magna Carta’<sup>25</sup> was adopted (CAVR 2006 Section 5:2-6, CNRT 1998). It was this umbrella political body that led the Timorese resistance through the process of independence (de Araujo 2000).

The civilian activities in this period were entirely underground, and were organised in small separate cells. Each small cell networked outwards cautiously to spawn new cells, so that an extensive, diverse, and highly decentralised network was formed. Women and young people were very active in this underground network which comprised many different groupings of cells organised together under one name (such as *07* or *Orgao Oito*).

It was not easy to get involved in the underground because the networks and groups were small, and people were very secretive about their organizations. Such caution was necessary. Even if you were already part of one organization, you didn’t know other organizations because each had its own channels to the armed resistance. Students, civil servants, merchants, church people, and women’s groups all worked discretely and separately (Pinto and Jardine 1997:95).

The underground resistance provided essential support for the guerrilla fighters in the jungle. They acted as communication channels between the fighters and the outside world, including the diplomatic front and the student organisations in Indonesia, such as the *Resistencia Nacional dos Estudantes de Timor-Leste*, RENETIL (National Resistance of Timorese Students). They advised them of Indonesian military activities and movements, provided them with food and other supplies, and raised money for them (Pinto and Jardine 1997).

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<sup>25</sup> This document sets out the principles (freedoms, rights, duties and guarantees) which the movement supported.

While these developments were occurring within the political resistance movement, the more overt elements of civil society and the few NGOs were experiencing and reflecting the shifting trends within Indonesia state-civil society relations more broadly.

### **3.6 Indonesian development strategy and the role of NGOs and civil society**

Indonesia's invasion of East Timor occurred just a decade after the installation of the New Order Regime led by President Suharto, following civil turmoil in Indonesia associated with '*aliran* politics' and the brutal purging of the Communist Party of Indonesia (PKI) (Aspinall 2004). Indonesian development strategy under this authoritarian regime was state-centric and coercive. The ideology and practice of 'developmentalism' was strongly embedded in Indonesia during the late 1960s and 1970s. Developmentalism implied state-led modernisation in the Third World, through tightly controlled industrialisation. This ideology was part of the repressive state apparatus which prevailed in East Timor. For many commentators, Indonesia's transition from low income country at independence to middle income industrialised economy by the mid-1990s through rapid industrialisation and export-orientation was remarkable (Arndt 1996, Barlow 1996, Soesastro 1996). However, East Timor and the neighbouring Nusa Tenggara provinces were the poorest provinces of Eastern Indonesia, a region which did not benefit significantly from this wider economic transformation.

The New Order State 'strongly dominated the civil society' (Billah 1996:168). Billah describes a process of 'state corporatism' across Indonesia, which required that while citizens' organisations could play a part in democracy, they could do so only on the state's terms and within the bounds of the state's goals and agenda (*Pancasila*). Aspinall recognised three types of civil society organisation during this period: 'sole organisations' which drew together major sectors such as peasants and trade unions and affiliated them with Golkar (the ruling party) to keep them under close control;

others he described as ‘semi-corporatist’, such as the large Muslim groups, which though independent, compromised with the state in order to survive; the third group were the ‘proto oppositional groups’, which included NGOs (Aspinall 2004). As Billah notes, ‘state domination over civil society was expanded and deeply rooted so that social groups had very little opportunity to organize freely and systematically’ (Billah 1996:168). Hadiwinata (2003) describes the Indonesian state as ‘bureaucratic authoritarian’ (after King 1982) and notes that although in the late 1960s and 1970s community development organisations were allowed to operate, by the late 1970s the Government began cracking down on students, a move which over time stimulated campus activism and student ‘study groups’. This activism shifted to the arena of NGOs in the late 1980s and 1990s.

National development in Indonesia was closely associated with military security, and a repressive climate ensued across the country, particularly in the then province of *Timor Timur* (East Timor). As Nyman points out, the separation between civil society and the state assumed in Western literature could not be assumed in Indonesia; there was some ambiguity, with some ‘civil society’ groups working from within the state—the so-called ‘*plat merah LSM*’<sup>26</sup> (Nyman 2006:42). In the mid-1980s state control over NGOs also tightened considerably. Laws were introduced in 1986 forcing NGOs to register with the Ministry of Home Affairs and report to it on their activities, funding sources, organisational structures and rules.<sup>27</sup> They also had to allow themselves to be politically supervised by that Ministry and technically supervised by the relevant sectoral department. To avoid such legal constraints, some NGOs registered themselves as *yayasans* (foundations) under commercial law, rather than operate as LSMs (*Lembaga Swadaya Masyarakat*, or ‘Community Self-reliance Organisation’) with these restrictions. They also developed networks to support each other and strong leadership which would protect them and negotiate for their space to operate (Hadiwinata 2003: 93-96).

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<sup>26</sup> ‘plat merah LSM’—or red plate NGOs—referred to the red number plates on government cars.

<sup>27</sup> Law No 8/1985 initially applied to ‘Social Organisations’ and NGOs were initially unsure whether it applied to them or only to ‘mass organisations’. To clarify that it did apply to NGOs, Law no 18/1986 was subsequently introduced (Bourchier and Hadiz 2003, Hadiwinata 2003).



Following a drop in national income due to declining oil prices in the late 1980s, Indonesia became more engaged with the World Bank, which at the time was beginning to be more open to NGO involvement in development programs. This was a period in which Indonesia was pressed into economic liberalisation, and it was thought likely that this would be accompanied by greater political liberalisation. It was in this context, with the World Bank's influence, that some Indonesian NGOs began to become more closely tied into official development strategies. Many Indonesian NGOs became more enmeshed in state corporatism, and worked within the modernisation paradigm (Billah 1996, Budiman 1998). But as Budiman records, the process of democratisation was complex, with various elements of the state and civil society positioned differently in relation to it, 'civil society is divided; part of it supports the authoritarian state, the other supports democracy' (Budiman 1990:9).

Aspinall records that by the 1990s, 'the NGO sector had become a prominent player on the Indonesian political scene' (Aspinall 2004:72). Tensions between the state and NGOs grew in the 1990s with greater NGO emphasis on empowerment and mass mobilisation activities, particularly among human rights, environmental and women's NGOs, who posed growing challenges to the state in an increasingly difficult political environment. As late as 1995, Gaffar described Indonesian politics as 'tightly controlled' with very limited space for political opposition. He noted the way in which the permit system for NGO, student and even political party meetings of more than five people acted as a control mechanism, and commented on how frequently such meetings in major cities were broken up by the police. Media control and trials conducted against dissidents were other strategies used to keep civil society in check (Gaffar 1996: 44-49).

NGOs had by now become divided into two (Hadiniwata 2003) or three (Eldridge 1990, 1995) main types according to their willingness to co-operate with the state or confront it. Eldridge (1995) characterised Indonesian NGOs as falling into three categories in terms of their relations with the state:

- (1) High level partnership-grassroots development;

- (2) High level politics-grassroots mobilization; or
- (3) Empowerment of the grassroots.

The first group worked in a cooperative relationship with the state, trying to encourage a more participatory approach, but not trying to change the broad directions. This included Bina Swadaya which was active in East Timor. Bina Swadaya promoted 'small savings clubs (*simpan pinjam*), credit unions and informally structured cooperative enterprises (*usaha bersama*)' (Eldridge 1990: 515) and controversially saw value in trying to influence Golkar's (the governing party's) groups of farmers and fishers, among others (Eldridge 1990,1995). The second group, influenced by radical social theory, sought to conscientise people at the grass roots, but protected themselves through high level political relations. They acted in an advocacy role, and had links to military and bureaucratic networks in Jakarta. One example is the Legal Aid Foundation, which worked with a network of groups on a wide variety of legal and human rights issues facing the rural and urban poor, as well as supporting women and labour organisations (Eldridge 1990, 1995). It made occasional visits to East Timor. The East Timorese human rights NGO, Yayasan HAK, also adopted such a strategy in the late 1990s. The third group simply worked at local level, creating awareness and building local groups, but had minimal contact with state institutions (Eldridge 1990). These were mainly smaller groupings emphasising the development of self-management. Yasona, which began in 1983 under the auspices of the Indonesian Protestant church, represents this type of NGO in East Timor.

Thus while the environment in East Timor was particularly repressive, NGOs and civil society there were embedded in, and influenced by, the wider context of Indonesian law and politics. Yet for Indonesian NGOs generally, even those in the second category, East Timor's situation was not a significant issue. They had major problems of their own trying to operate within the limited democratic space, only had officially sanctioned information about the province, and generally accepted official accounts of the situation there. It was not until the mid to late 1990s that this situation began to change, as the flow of alternative information increased, and democratic space opened up within Indonesia itself. Some support for East Timor came from a couple of

Indonesian human rights NGOs, as well as from a range of international NGOs, especially through Catholic networks. The International Forum on Indonesian Development (INFID) network, through their international NGO connections, as well as informal student groups in contact with students from East Timor studying in Jakarta and Yogyakarta, were among those who became aware of alternative accounts of the situation. Two small NGOs, Fortilos and Solidamor, formed in Indonesia to offer solidarity to East Timor.

As democratic space began to open in Indonesia after the May 1998 fall of Suharto, civil society flourished, unconstrained by the repressive laws of past years, and in response to the harsh economic situation which the Asian financial crisis had inflicted on Indonesia. However its impact remained constrained by the power of the IMF and international capital, the strength of the bureaucracy, and the weak organisational capacity of poor sectors of the society. To achieve pro-poor policy would require considerably more than democratisation and decentralisation, as entrenched power structures remained (Rosser, Roesad and Edwin 2005). This Indonesian experience signalled similar challenges ahead for East Timor, where at least two of those conditions remained (if not the strength of bureaucracy).

### **3.7 Civil society and NGOs in East Timor during the Indonesian period**

Within East Timor, the Catholic Church, led first by the Bishop of Dili Diocese, Martinho Costa Lopes, and later by his successor, Bishop Belo, emerged as a protector of and voice for the people throughout the repression (Kohen 1999, Lennox 2000). Priests had witnessed the brutalities of the Indonesian military and the famine caused by the ‘fence of legs’ operation, and by 1977 the Catholic Church began what became a vital role in providing information to the outside world about human rights violations and acting as a protective umbrella for the people (Taylor 1991). The Catholic Church played a critically important role especially through the provision of education and health services to the community, and in 1998 Timor Kmanek, a Catholic Church

sponsored radio, began broadcasting in Tetum, a significant move since all other media used the official language, *Bahasa Indonesia* (Taudevin 1999). Radio Kmanek was widely listened to and church publications were widely read. Indeed, Crowe reported claims that ‘the pastoral letters of the Bishop are read more than any newspaper in East Timor’ (Crowe 1995:4). As Kohen says, ‘the church...was an institution that demonstrated a closer connection with the people than any other from the colonial period on’ (Kohen 2001:44). Taylor argues that the Catholic Church’s strong opposition to the occupation reflected a widespread rejection of Indonesia’s annexation of the territory by almost all social classes and groupings, unifying a society previously riven with ‘religious, cultural, educational and economic cleavages’ (Taylor 1991:157) between colonial, rural and nationalist groups.

The student movement started in 1974-75, with groups of high school students involved with political parties, particularly UNETIM (*Uniao Nacional de Estudantes Timorese*) which was linked with FRETILIN. Students undertook political education work in rural areas. By the early 1980s, with more education available, including tertiary education in Jakarta, a new form of student movement developed, with small cells of three to five people, linked to FRETILIN. As CAVR records:

These cells successfully infiltrated and controlled legal organisations such as the Catholic Scouts (Escuteiros) and the Intra-School Students Association (Organisasi Siswa Intra-Sekolah, OSOS) the student bodies in each high school created by the Indonesian government (CAVR 2006: Section 5:43).

Students attending the Catholic schools could also organise themselves as they had a freedom to discuss political issues which was not possible in government schools. As time went on, there were a number of student organisations active, as well as the Catholic Boy and Girl Scouts, which were aligned with FRETILIN and/or the wider underground movement of the CNRM, which later transformed into the CNRT. After 1986, students at the newly-opened University of East Timor (*Universitas Timor Timur*, UNTIM) also began to form clandestine cells and by 1991 activists from

several cells had formed the Association of Anti-integration Youth and Students (*Himpunan Pemuda, Pelaja, dan Mahasiswa Anti-Integrasi*, HPPMAI) (CAVR 2006 Section 5: 43). By 1996-97 the UNETIM movement had widened to welcome participation of all youth, and was renamed OPJT (*Organizacao Popular Juvente Timorenses*). Women were very actively involved in the resistance movement, particularly through *Organizacao Mulheres Timor* (Organisation of Timorese Women, OMT) and *Organizacao Popular Mulheres Timor* (Popular Organisation of Timorese Women, OPMT), as well as through the Scouts and other student groups. Nuns had a special role as they were less likely to be the targets of Indonesian violence than other non-violent resisters (Mason 2005).

Timorese civil society also began to develop in other parts of Indonesia. From the early 1980s East Timorese students were able to study in Java, Bali and elsewhere in Indonesia with Indonesian Government support. They subverted the Indonesian Government established Organisation of East Timorese Students, (*Ikatan Mahasiswa Permuda dan Pelajar Timor Timur*, IMPETTU) to support the resistance. A further student organisation, RENETIL, initiated by activist Timorese university students in Bali, soon spread through Indonesia playing an important role in educating Indonesians about East Timor. Other groups of Timorese students, including some who had been in the Catholic Youth Organisation (OJECTIL), also emerged where Timorese students were based, including the Secret Commission of the Timorese Students Resistance (*Commissao Secrete de Resistencia Nacional dos Estudantes Timorenses*, CSRNET) and the Clandestine Front of East Timorese Students (*Frente Estudantil Clandestina de Timor-Leste*, FECLETIL) (CAVR 2006 Section 5:43).

Inside East Timor, the youth movement staged their first public protest in 1989 on the occasion of the Pope's visit to Dili, and held a larger protest the following year when the US Ambassador visited. Such protests continued for a decade. Students also played a courageous role in the diplomatic struggle, passing information out of the country via student networks, and, as some had language skills, acting as intermediaries between international activists posing as 'tourists' and the resistance leadership (Pinto 2001).

However, a major turning point in the East Timorese campaign for independence came in 1991, when a student funeral march to the Santa Cruz cemetery turned to tragedy after Indonesian troops opened fire on the mourners. While several hundred students lost their lives that day, the presence of international media captured the horror, and the world suddenly paid greater attention to East Timor's plight (Nevins 2005, Schwartz 1999).

### **3.8 NGO development in East Timor**

International NGOs had operated in East Timor from the early days of the Indonesian occupation and some supported the development of local NGOs. The Catholic Church had its own humanitarian organisation, *Delgado Social* (DELSOS), which later became Caritas East Timor. DELSOS was probably the earliest local NGO which grew from support provided by the Catholic Church in Indonesia across the border from Atambua, West Timor. It began in 1976, supported by international Catholic NGOs in Germany and the USA (Bano, Hunt and Patrick 2001). The Protestant Church NGO Yasona also began quite early, in 1983, but was at that time seen as an Indonesian institution, only later becoming Timorese-controlled (Social Naroman Foundation 2004). Though the ICRC remained in East Timor after the famine of the late 1970s, CRS withdrew in the mid-1980s, having helped to establish a local agricultural NGO, *Yayasan Ema Mata Dalan Ba Progresso* (Road to Progress Association) better known as ETADEP, in 1987. CRS continued its support for ETADEP from its Jakarta office. After the 1989 'opening' of East Timor a wider range of Catholic agencies, among them the Catholic Agency for Overseas Development (CAFOD) from the UK, Misereor from Germany, and Caritas Norway, Caritas Sweden and Caritas Australia,<sup>28</sup> lent support to Catholic and other local organisations there (Bano, Hunt and Patrick 2001, Nest 1999). New international NGOs also started working in the area, notably CARE Canada (1995), Christian Children's Fund (1990) and World Vision (1995), the last two as part of their Indonesian programs from their Jakarta offices (Bano, Hunt and Patrick 2001). There

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<sup>28</sup> At that time Caritas Australia was known as Australian Catholic Relief.

was also some presence by branches of Indonesian NGOs such as Bina Swadaya (Nest 1999), and Satunama, the latter supported by the Unitarian Service Committee (USC) of Canada (USC 2007).

A small number of other local NGOs were formed and operating by the early 1990s although it was hard to ascertain their number or capacity (Pedersen and Arneberg 1999). Yasona (1983), *Hadia lale Ita Rain* (Halarae) (1992) and *Yayasan Hanai Malu* (1990) for example, all offered credit and agricultural support to farmers. Local charity and welfare groups affiliated with religious orders and faith groups also assisted people in need, while Christian Children's Fund operated in partnership with some eleven local foundations and was working with Perdhaki, a local NGO, on an acute respiratory infection prevention project (Pedersen and Arneberg 1999, Nest 1999). Around 1996-97 more local NGOs started to form, among them Yayasan HAK focussing on human rights, FOKUPERS and ETWAVE (initially formed as *Gerakan Wanita Anti Kekerasaan*, or GERTAK) addressing women's rights and violence against women, *Pronto Atu Serbi* (PAS) a health NGO, and in 1998 *Yayasan Bia Hula*, a water and sanitation NGO formed within an AusAID bilateral aid project. Catholic Justice and Peace Commissions in Dili and, later, Baucau, were also significant especially in documenting the many human rights violations that were occurring. POSKO (Post for the Coordination of Emergency Aid), initially intended as a network of emergency relief under the auspices of Yayasan HAK, but in practice an operational organisation, formed to respond to the 1997-98 drought,<sup>29</sup> and in 1999 did its best to reach and assist the militia-controlled Internally Displaced People (IDPs). Local NGOs also began to establish a coordinating body, the East Timor NGO Forum, in 1998 but it had difficulty meeting from April 1999 onwards because of the worsening security situation (Bano, Hunt and Patrick 2001). Some 14 local NGOs who founded the Forum released a Mission Statement on 23 June 1999 (East Timor NGO Forum 1999b)<sup>30</sup> but the Forum

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<sup>29</sup> POSKO's members included Yayasan HAK, Caritas East Timor, FOKUPERS and ETADEP among others.

<sup>30</sup> The NGOs who founded the Forum were: Yayasan Timor Aid, Yayasan Hope, Yayasan Kasimo, Puskopit Hanai Malu, Puslawita, Yayasan Ledavo, Yayasan Halarae, Yayasan Bia Hula, Yayasan ETADEP, Yayasan HAK, Bina Swadaya TimTim, Yayasan Bina Sejahtera Lestari, FOKUPERS and Unitarian Service Committee (USC).

was barely able to function before the September 1999 emergency. In a broad assessment of development assistance to Timor conducted in May 1999, Nest (1999) notes that Timorese NGOs had been involved in project implementation, but 'while it is difficult to ascertain the number and capacities of local NGOs, the consensus is that overall indigenous institutional capacity is very weak' (Nest 1999:2). Nevertheless, he recognised that, 'there is however a small and competent core of local NGOs, and there are continuing plans by some aid agencies to help develop local human resources' (Nest 1999:10).

Local NGOs, especially those concerned with human rights, were viewed with deep suspicion by the Indonesian authorities, so had to manage their relations and activities with great care; they often took considerable risks assisting people, and passing information into the country and to the outside world. They were operating under constant surveillance and in a climate of intimidation and fear. The small number of international NGOs whose presence was known also had to operate cautiously, or risk expulsion from the province. Although the Indonesian state was extraordinarily strong and repressive, civil society was growing in courage. The church and students were particularly significant and the small local NGO presence was playing some extremely important roles such as documenting and protecting human rights, providing humanitarian assistance, undertaking development work in areas such as agriculture, savings and credit cooperatives (at least until the security circumstances prevented the continuation of normal development work), and assisting with health care (Australian Council For Overseas Aid 1999, Bano, Hunt and Patrick 2001). This was the context when, following the financial crisis which shook Indonesia in 1997 and the consequent departure of President Suharto in May 1998, President Habibie announced in January 1999 that he might consider independence for East Timor. Things moved quickly from there. In March 1999 preliminary agreement was reached for the UN to consult the people by direct ballot (Martin 2001) and the governance system was set for a radical change.



Thus, in summary, the governance system of East Timor at this time was multi-layered: traditional political and ritual authority systems were still largely retained, albeit discreetly; extensive Catholic Church structures and networks reached across the country and were trusted by the people; civilian cells and organisations of the clandestine resistance played critical information and mobilisation roles and supported the armed resistance; local civil society organisations, including NGOs, though limited, were often subversive in the ways they operated, and played an important role in linking to international civil society, particularly to human rights organisations and the international solidarity movement. The next chapter maps out major developments from this period to independence and beyond, with special reference to the roles of civil society, particularly NGOs.

## **CHAPTER FOUR**

### **THE STORMY TRANSITION TO NATIONHOOD: CIVIL SOCIETY IN THE PERIOD 1999-2004**

Change in Indonesia in mid-1998 provided an opportunity which the East Timorese independence movement grasped. The transition to nationhood involved the conduct of a UN supervised ballot which invited the East Timorese people to accept or reject special autonomy with Indonesia. Rejection of this option meant a decision for independence (United Nations 1999b). After this, the process of putting in place the framework for a new state was to begin. However, the forced removal of people and the killings, destruction and burning which attended the announcement of the results of the ballot, meant that this process could only begin once the immediate humanitarian emergency had been dealt with. It also meant that the new nation started from a state of almost total destruction (Joint Assessment Mission 1999a, 1999b). Throughout the pre- and post-ballot periods civil society was extremely active and engaged, recognising the roles they could play in this time of rapid transition. In particular, from September 1999 civil society tried to help the community understand and contribute to the processes of responding to the humanitarian crisis and forming the new nation.

#### **4.1 Grasping an opportunity: civil society's role before the ballot**

Civil society in East Timor was quick to take advantage of the changed situation in Indonesia. In early June 1998, shortly after President Suharto announced his resignation, the East Timor Student Solidarity Council (ETSSC) formed and began organising public meetings, forums and huge demonstrations in support of independence, democracy, and reconciliation (Nicholson 2001). One courageous demonstration of some 10,000 people was organised at the time of a visiting foreign delegation. Martinkus (2001) described the flurry of student activity at the Turismo Hotel in August 1998, as the students firmly took advantage of the political space

created by President Habibie's announcement of some sort of autonomy for East Timor. Liaising with foreign journalists based there, they took their campaign to the districts. At an early meeting they also invited contributions from NGOs and recognised the need to plan for development, as the province appeared to be on the verge of self-determination. The students held firmly to, and promoted, a non-violent philosophy (Taudevin 1999).

The students' mobilising activity, and their liaison with foreign journalists right under the noses of the Indonesian military, showed their courage and demonstrated leadership to the rest of the community:

In the short reform period that accompanied Habibie's offer of autonomy in mid-1998, it was the Dili-based students of the Solidarity Council, led by Antero Bendita da Silva, who were driving change.... The students' open and noisy support for independence led the way for the rest of the population, including some influential people who had previously supported the Indonesians (Martinkus 2001:53).

By April 1999, however, the situation had changed. The military had cracked down. Student leaders in Hera, Lospalos, Viqueque and Baucau had all been arrested and Dili-based students were living 'underground' or had fled to the hills (Martinkus 2001). Despite this, Timorese from within the Province and the wide diaspora, from political and civil society, gathered in Melbourne, Australia, in April for a Strategic Planning Conference to prepare for independence.<sup>31</sup>

The roots of the September 1999 emergency were embedded in the 5 May 1999 Tripartite Agreement signed by Indonesia, Portugal and the United Nations which mandated the UN to conduct the popular consultation (United Nations 1999b). The Agreement made Indonesia responsible for peace and security in the pre-ballot period, which many found disturbing, notably the NGO SAHE, which wrote a critique of the

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<sup>31</sup> I participated in this conference which brought together NGO leaders, political leaders and others from inside East Timor as well as Timorese from Europe, Australia and the US, with their international supporters, to work out policies and strategies in key areas for an incoming administration.

Agreement and distributed it clandestinely in East Timor.<sup>32</sup> Their fears proved to be well-founded. Yet despite the repressive and intimidatory climate throughout the period between May and August 1999, civil society activists played a key role in public education. With the United Nations Assistance Mission for East Timor (UNAMET) gearing up for the conduct of the ballot, they took their clandestine education campaign to the rural areas. Students, women, church workers and other NGO activists, including many East Timorese students who abandoned their studies and returned from Indonesia, played key roles in the lead up to this ballot, fanning out across the country to inform and educate the mainly illiterate people about the processes of registration and voting.<sup>33</sup> Their efforts undoubtedly contributed to the large numbers who registered to vote and the eventual turnout of 98.5 per cent. A very clear majority were against remaining part of Indonesia.

While students, women's organisations and the churches undertook political education, NGOs were also dealing with the human rights and humanitarian situation. As already noted, approximately 28-34 local NGOs were established by early 1999 and were operating programs, albeit under intensely difficult conditions. Another nine NGOs were formed outside East Timor itself by exiles or students (see Appendix B). In addition there was a small number of Indonesian organisations, social welfare groups, and faith groups, and a handful of international development NGOs present, some represented through their Indonesian offices, rather than directly in East Timor (Nest 1999, Pedersen and Arneberg 1999). As the security situation deteriorated in 1999, many were unable to continue with their normal development programs and instead tried to prevent the situation worsening. The crisis was both a human rights and humanitarian one. Human rights violations were escalating. The Catholic Commission for Justice and Peace figures for April 1999 documented 308 human rights violations, including 'disappearances, torture, houses burned and murder' (ACFOA 1999:8). The human rights NGOs were kept extremely busy documenting and publicising abuses, and liaising closely with UNAMET officials monitoring the human rights, political and

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<sup>32</sup> Respondent 80.

<sup>33</sup> Information drawn from numerous interviews and reflected in case studies (see Chapters Five to Eight).

security environment. The large number of international visitors to East Timor during the months from May to the end of August also saw some NGOs acting to brief the international community, including the media, about the situation, since the Timorese political leadership had to remain ‘underground’ for much of this period.

The NGOs and church workers were also a lifeline for tens of thousands of internally displaced people (IDPs) across the country forcibly held in militia controlled camps, or otherwise affected by militia activity, accessing those they could with food and medical supplies in the most dangerous conditions. Credible estimates from church and NGO sources suggested that some 40-50,000 people were internally displaced by early June 1999 and ACFOA’s report indicated that there was a significant humanitarian crisis in relation to inadequate food, water and health care, with access denied to many of the people in dire need (ACFOA 1999). The security situation was extremely poor, with militia intimidation supported by the Indonesian military (the TNI), and certain parts of the government in Dili and at local levels complicit in this.<sup>34</sup>

Following the arrival of UNAMET in June 1999 a number of UN humanitarian agencies began operating, notably the World Food Programme (WFP) and the United Nations High Commission for Refugees (UNHCR); these joined the United Nations Children’s Fund (UNICEF) which had operated there since 1997 (Hurford and Whalstrom 2001, McDowell 2000, Pedersen and Arneberg 1999). UNHCR and WFP began working closely with the local NGOs to provide assistance to the IDPs. POSKO, the local NGO coordination point in HAK’s office for a small number of NGOs who worked together during the 1998 drought, continued to function as a joint mechanism for NGOs responding to the IDP emergency, and as a liaison point for UN agencies (ACFOA 1999).<sup>35</sup>

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<sup>34</sup> For example, one international NGO which had arrived with authority from the Health Ministry in Jakarta to provide medical aid to IDPs was lied to by the *bupati* in Liquica who said that there were none in that area, and he sent the NGO away (ACFOA, 1999:12).

<sup>35</sup> This information derives from my personal observation in East Timor and information obtained in the case study of HAK (Chapter Six).

The only bilateral donor with a physical presence in East Timor prior to 1999 was AusAID, which had a Water and Sanitation Project in the Bobonaro District, through which it had developed the NGO Bia Hula (Taudevin 1999). The security situation had forced the evacuation of expatriate staff from the district to Dili, where they were providing some training to local NGO staff in project design and management, computing, and English language (Pedersen and Arneberg 1999). They were also trying to assist the emergence of the East Timor NGO Forum, a wider group than POSKO with a broader role than emergency relief, but in the security environment it proved impossible for NGOs to meet (ACFOA 1999, Pedersen and Arneberg 1999).<sup>36</sup> Thus the Forum formally existed but barely functioned in early 1999. The Forum had formed in 1998 in response to the need for coordination of emergency assistance due to the drought. It had been supported by AusAID, ACFOA and Oxfam, and its President was the head of Bia Hula. In June 1999, fourteen local non-government organisations (LNGOs) met and decided to reactivate it, and to formalise its structure, vision and mission. They set up a small board of three people and agreed to seek funding to employ a staff member to relieve the burden then falling on Bia Hula (East Timor NGO Forum 2000e:6). However this was apparently not the donor's priority, as despite a proposal being presented to AusAID, there was no response before the ballot.<sup>37</sup>

UNAMET had less than five months to register voters, prepare rolls, and organise the secret ballot (Smith and Dee 2003). Despite the poor security environment, persistent militia activity, and the internal displacement of people, the ballot itself proceeded successfully with a 98.5 per cent turnout of voters. However, before the UN announced the 78.5 per cent vote against autonomy with Indonesia on 4 September, the violence of the militia and Indonesian forces had begun. The announcement of the results triggered the full impact. There was widespread destruction, burning and looting of buildings, an unknown number of killings (perhaps as many as 1-2,000), and the forced removal of over 230,000 people to West Timor. The remaining population of around 600,000 fled to the hills and mountains (Parliament of Australia 2000).

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<sup>36</sup> Personal observation during my visit to East Timor June 1999 as leader of the ACFOA delegation (see ACFOA 1999).

<sup>37</sup> Information obtained from NGO Forum at the time.

Even as the militia were running amok in Dili, as late as 2 September 1999, staff of the human rights NGO Yayasan HAK were still at work, receiving reports of the many human rights abuses and trying to communicate them to the outside world. That night their building, which housed several LNGOs, was burned down (Martinkus 2001). NGO staff and volunteers, like the rest of the population, fled—some to the hills surrounding Dili, others to West Timor and some to other parts of Indonesia, such as Bali and Jakarta. All but 12 UNAMET staff, along with refugees who had sought UN protection, were evacuated to Darwin, Australia (Martin 2001).

## **4.2 The crisis after the ballot**

In the wake of the crisis United Nations agencies and international NGOs began to provide relief. This commenced in September 1999 with airdrops of food, aid convoys and provision of shelter and basic services, while INTERFET<sup>38</sup> took responsibility for security. During this early period the CNRT established a National Emergency Commission, to deal with the crisis and to liaise with UN Office for the Coordination of Humanitarian Affairs (OCHA), which was initially coordinating the international humanitarian response, a task subsequently taken over by the United Nations Transitional Authority in East Timor (UNTAET).<sup>39</sup> Relief operations were soon expanded and broadened within a UN-sponsored Consolidated Inter-Agency Appeal (CAP) intended ‘to assist populations through the emergency stage as quickly as possible while laying the groundwork for full scale reconstruction and development’ (United Nations, 1999a:3). This was launched by OCHA in late October for US\$199 million for operations until June 2000 (United Nations 1999a). The OCHA, using the CAP framework, coordinated the sectoral and geographic activities of UN and INGO agencies and established limited mechanisms for consultation with, involvement of, and strengthening of civil society. Ideals of civil society participation were widely

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<sup>38</sup> INTERFET was an Australian-led military operation which first entered East Timor and managed security until UNTAET’s mandate began.

<sup>39</sup> UNTAET was mandated by the Security Council on 25 October 1999; however, it took some months to become fully operational.

reflected in donor assessments and planning documents of the time (OCHA 1999, Joint Assessment Mission 1999(a), UNDP 1999).

International non-government organisation (INGO) coordination began in Darwin during the tense period before humanitarian actors could enter East Timor. Efforts to link the INGO and donor community to the CNRT, who were regrouping in the city, began there facilitated by ACFOA, the peak body for NGOs in Australia which had well-established links with the key players (McDowell 2000, Zambelli 2001). But once in East Timor, the humanitarian effort swung into rapid action. CNRT leaders, left without a building in Dili, found themselves a base in Aileu, some 90 minutes drive away, without transport or support. Nor, at first were local NGOs present. As they began to regroup, the efforts of the OCHA NGO Coordinator to set up an NGO Centre and help them reestablish and link with international NGOs were significant, but INGO work went ahead largely without their input. Lack of access by local Timorese to the UN compound, language difficulties and a shortage of interpreters, as well as a lack of transport and office facilities exacerbated the problems facing most of them (Brunnstrom 2003, Hurford and Whalstrom 2001, Patrick 2001).<sup>40</sup>

At a workshop held in Dili on 6 December 1999, 22 local NGOs resolved to reconstitute the NGO Forum, set up a group of seven people to prepare a proposal for the mission, role, membership criteria and form of the renewed body in light of the changed context; this was duly adopted in January 2000. Criticisms about local NGO exclusion from the recovery process were expressed at this workshop:

National NGOs have been overtaken by the international NGOs who have resources, say they know everything and communicate in English. Local NGOs feel they have

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<sup>40</sup> Information in this and the next paragraph is also derived from my own observations during this period, in my role as Executive Director of ACFOA. Interview respondent 94 also described the problems she encountered trying to help reestablish local NGOs since there was no institutional memory among international organisations within East Timor immediately after the September rampage. Respondent 28 added that it was difficult for local NGOs to partner too, as they were still suffering from the trauma of the events of September 1999. Respondent 84, from a local NGO, described his anger at the difficulty in getting to and from meetings (walking home some distance late at night) and the lack of translation.



been reduced to being observers and critics who have to ask for what they want (East Timor NGO Forum, 1999c:3).

Some LNGOs and their INGO partners were extremely unhappy at the costly administration and urban bias of UNTAET and the lack of attention and resources being devoted to development in rural areas (da Cruz 1999, National and International NGOs 1999). LNGOs saw the international administration and humanitarian effort as ‘another invasion’ (Brunnstrom 2003) or a new form of colonialism, with patronising values about people’s helplessness and pre-determined solutions (Working Group for Study and Examination 2000). INGOs were seen as operating in ‘service delivery’ mode, rather than taking an approach of engaging and mobilising local people in their response.

Brunnstrom’s November 2000 study of the relationship between local and international NGOs (Brunnstrom 2000) confirmed this:

Throughout the initial emergency period the collaboration between Timorese and international NGOs was marked by the difficulty of the two bodies to find a common platform to operate from.....although the Timorese offered their experience and thorough knowledge of the country, the situation and the available networks, to the emergency operation, the international community did not include them in the work. Unfortunately it took several months before their ability to improve the efficiency of the relief operation was acknowledged and appreciated by the international community. Meanwhile experienced Timorese were employed as drivers, interpreters and security guards. “A Cream of Talent wasted” as expressed by one of the international interviewees (Brunnstrom 2000: 6).

Brunnstrom’s interviewees identified many problems: Timorese NGOs mentioned lack of communication, exacerbated by international NGO staff’s lack of Tetum or Indonesian language skills. They also felt that ‘the international community used language as a criterion of greater importance than subject knowledge (agriculture, health, etc.) when judging the possibilities for collaboration or employment’

(Brunnstrom 2000: 9). Timorese also felt that the international community was ignorant of the Timorese reality and cultural traditions. They were concerned that INGOs, rather than developing LNGO capacity, simply employed local staff to run INGO programs (Brunnstrom 2000: 9). Asked about partnership itself, the Timorese NGOs felt that even where partnerships existed, they tended to be unequal:

Many TNGO representatives suggested that good partnerships exist when responsibilities are evenly shared and the work is based on transparency, mutual respect and accountability. The experience of the Timorese NGOs is however, that a top down attitude dominates the approach of INGOs and donors. This 'donor-implementer model' does not leave much room for Timorese knowledge and experience to get expressed. ... (Brunnstrom 2000: 9-10).

Brunnstrom was not alone in noting these problems. A country-wide external review examining 10 months' operation of CAP (Bugnion et al. 2000) revealed positive and timely achievements, but with significant shortcomings. The latter included a failure in the area of local participation, as highlighted by the reviewers:

No initial framework agreement was established between UN agencies or INGOs working with local NGOs or local institutions to ensure East Timorese participation. As a result, local participants were mostly marginalised by the international community during the initial humanitarian response (Bugnion et al. 2000:3).

Such observations reflected the widespread disquiet and protest from civil society and local political actors regarding lack of participation. The CNRT was one of the sternest critics. CNRT officials dismissed the limited roles of Church organisations and that of CNRT and LNGOs in distributing food and providing shelter as tokenistic. Their critique was directed at both the UN and INGOs for failure to consult East Timorese leaders and an arrogant approach (Cole-Adams 1999). Moreover, UNTAET was perceived to have failed to appreciate the existing informal clandestine governance system (Brinkerhoff 2007) or integrate East Timorese into its decision making processes (Chopra 2002, Suhrke 2001). The participation of Timorese people had been

undefined when UNTAET was established (Martin and Mayer-Rieckh 2005) resulting in the almost total exclusion of both local political and civil society.

There were various possible explanations for this lack of engagement with civil society,<sup>41</sup> among them a reluctance to recognise and engage with civil society actors in the absence of a government. But such hesitation also extended to CNRT and fears that it was politically aligned (Suhrke 2001), divided and uncoordinated (Ife 1999:4). Attitudes of some UN and INGO workers were also patronising, superior or exclusive. Observing the initial aid effort, Ife (1999), for example, reports on the plans of aid workers to establish 'civil society' in East Timor, apparently neglecting or unaware of its previous existence and experience. Similarly, he reports half-hearted attempts to invite local people to planning meetings and the disturbing experience of attending UN emergency coordination meetings without local participation (Ife, 1999).<sup>42</sup> It seems that Hughes and Pupavec's observation that recent international interventions have tended to view local actors as dysfunctional and the international intervention as functional was occurring here (Hughes and Pupavac 2005).

Donors were equally sceptical about the capacity of civil society as a vehicle for broad based reconstruction in East Timor. The Joint Assessment Mission led by the World Bank, for example, concluded that civil society was seriously undermined and that the 'small number of NGOs that had emerged over the last two years had yet to expand their capacity' (Joint Assessment Mission, 1999b:11), without considering the real constraints which had operated beforehand, nor considering the potential for expansion which now existed. Acknowledging that local communities could be marginalised by the international humanitarian response with its 'huge resources and expatriate dominance,' the Joint Assessment Mission advocated the establishment of

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<sup>41</sup> These included operational limitations such as inadequate preparation of emergency personnel, inadequate planning processes and structures, too much haste, lack of NGO feedback mechanisms, and a level of guess work in needs analysis. In addition, key civil society leaders were not present in East Timor at the commencement of the relief effort. The President of the CNRT, Xanana Gusmao, and also Bishop Belo, the head of the Catholic Church, were in this category (Patrick 2001, Bugnion et al. 2000:3 and 12).

<sup>42</sup> I also observed a number of these meetings in October 1999 which were conducted in English and without Timorese participation.

‘representative, community based institutions, in order that the emergency phase may proceed with greater efficiency and community participation’ (Joint Assessment Mission, 1999b:6). They outlined a large-scale ‘Community Empowerment and Governance Program’ that established village, sub-district and district councils which were provided with training and facilitation for planning, and oversight of grants and credits for local recovery and development activities (Taudevin 2000). This seemed to neglect the many existing layers of governance (traditional, church, CNRT/ clandestine and civil society) which already existed. In a notable absence, they did not outline any strategy for restoring or enhancing the capacity of the LNGOs which had previously operated.

### **4.3 Conditions for LNGOs after the vote**

The violence after the vote left most LNGOs without equipment, transport or offices (East Timor NGO Forum 1999a). Staff and volunteers of LNGOs, whose leaders were amongst those targeted by the militia, had fled. However, the success of the ballot stimulated a

‘tremendous outpouring of enthusiasm and energy to rebuild and reshape East Timor along more democratic and participatory lines. This enthusiasm was frustrated by lack of resources, and feelings of being ignored and excluded by donors and INGOs’ (Patrick 2001:59).

As Patrick observed, donors often focused on short-term emergency relief projects and one-off, in-kind assistance, such as motor bikes, computers, building rehabilitation, office equipment and supplies,<sup>43</sup> rather than ongoing support to local NGOs<sup>44</sup> (USAID 2001), although there were some exceptions (Patrick 2001). By March 2000 some of the older NGOs were firmly reestablished and starting to develop programs, with initial donor support. A flurry of activity saw many new LNGOs established and engaged in

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<sup>43</sup> Respondent 11.

<sup>44</sup> For example, from September 1999-March 2000 USAID provided 60 small scale grants to the value of \$775,000, mostly in-kind (USAID 2001:3).

the rehabilitation effort (Meden 2002). In December 1999 only 24 LNGOs were recorded, but a year later this had grown to 112 (East Timor NGO Forum 2000e). This more than quadrupling in numbers may have been stimulated by various factors, among them the freedom to form in the new context, responses to the enormous needs (particularly on the part of university students whose studies had been interrupted and who felt they could help), expectations of funding opportunities, and high levels of unemployment and people's need for income<sup>45</sup> (Patrick 2001).

The expansion of LNGOs also extended the scope of their activities to a range of sectors, including some where they had previously been less involved. As Patrick observed:

This partially represented a response to acute needs and opportunities in East Timor in the post-vote period, including the rehabilitation of agriculture, health and education services. Additionally, LNGO activity expanded to address intensified needs among vulnerable groups such as children, widows and orphans. Human rights LNGOs consolidated an already highly visible profile in documenting abuse, undertaking advocacy and civil education, and lobbying for international investigation of violations incurred during the Indonesian occupation and by the militia (Patrick 2001:59).

Despite these developments most LNGOs in the post-vote period lacked capacity and experience and an urgent need for organisational capacity building and coordination was evident. Their sustainability was also often questionable, and UNDP noted later that 'a reasonable number' created in the first two years might not survive in the long term (UNDP 2002a:4). NGOs and others recognised the need for standards and codes of conduct as well as training and other support, including registration procedures and regulations (Patrick 2001). As early as March 2000, UNTAET began to develop NGO regulations in consultation with CNRT, LNGOs and INGOs (UNTAET 2000). However the task was not finished prior to independence, in part at least because local

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<sup>45</sup> Respondent 37 believed many formed to enable the members to get some income, and donors were disappointed when they failed. Donor withdrawal of funding from NGOs by 2004 was then making it hard for legitimate, capable NGOs to access funds.

NGOs were reluctant to allow the UN to develop the regulation which would provide the framework for their relations with their yet-to-be-elected government (UNDP 2002a). This was a relationship they wanted time to consider and negotiate themselves, in the context of a wider vision about the way in which government and NGOs should relate to each other in the new nation (Hunt 2000, UNDP 2002a). As Patrick observed:

Other concerns about the majority of these newly formed LNGOs derived from their lack of organisational maturity and experience. These included the need for clarity about the nature of development and the organisational roles of NGOs. Critically, many of the new LNGOs had tenuous links with communities that they claimed to represent or wished to assist (Patrick 2001:60).

Their community development and organisational and project management skills were also often weak, and their resources extremely limited (Patrick 2001, Shires and Crawford 2000, Walsh 2000a, 2000b). Around 90 per cent of the LNGOs were concentrated in the capital, Dili, and most of the district NGOs were very small and weak; many of these were youth organisations (Patrick 2001, Walsh 2000b). Thus while there were some experienced NGOs in Dili, as Patrick commented:

The lack of proven experience and resources of newer LNGOs probably contributed to their lack of involvement in the relief effort and explains why the focus of their activities largely remained in Dili searching for INGOs and donors to provide initial backing (Patrick 2001:60).

Thus by late 2000 there had been a significant expansion of the NGO community in East Timor and the task was turning from relief and rehabilitation to shaping the new government administration and preparing the Timorese for government, as well as longer term development (Bano, Hunt, and Patrick 2001).

#### **4.4 Shaping the new state**

After the initial exclusion of Timorese from decision making about the emergency response, the UN gradually increased Timorese control over the nation's affairs. First it established a small National Consultative Council on 2 December 1999 whose membership included political parties, the Catholic Church and others, to advise the Special Representative of the UN Secretary General (SRSG), Sergio Vieira de Mello (United Nations 2000a). In response to still growing tensions about the need for greater Timorese participation in the transition, in July 2000 de Mello developed a more broadly representative National Council of 33 appointed East Timorese, including wider civil society representation. In the same month he established an eight-member Transitional Cabinet comprising an appointed Ministry of equal numbers of Timorese and international Ministers (United Nations 2000b). At the end of 2000 the UNTAET Humanitarian and Emergency Response (HAER) pillar completed its work and development was henceforth coordinated through normal donor procedures facilitated by the World Bank and the East Timor Transitional Administration (ETTA) (United Nations 2001a).

The next major step was the dissolution of the National Council and the CNRT, the registration of political parties and the election for the 88-member Constituent Assembly on 30 August 2001, whose mandate would be to develop the nation's Constitution (United Nations 2001b). FRETILIN won 55 of the 88 seats in the Assembly (Dunn 2003) and as a result of a strong advocacy campaign by women's NGOs supported by international donors, especially UNIFEM, some 27 per cent of the elected members were women (Pereira and Sternberg 2007). The Second Council of Ministers, established in September 2001, was fully Timorese (United Nations 2001c). The Constituent Assembly debated and agreed the nation's Constitution by March 2002, extended its term to become the first Parliament, and in April that year Kay Rai Xanana Gusmao was elected the nation's first President (United Nations 2002a, 2002b). Within two years and eight months from the total devastation wreaked by the departing Indonesian forces and the militia, the basic institutions of the new nation

were created, and East Timor was finally in East Timorese hands (Smith and Dee 2003).

*NGOs: from emergency response to nation building*

LNGOs and other civil society representatives initially played a part in the emerging nation's administration through representation on the National Council. One NGO representative and one women's representative had been invited to join the National Council. The NGO representative was one of the founders of Yayasan HAK, on behalf of the NGO Forum, while a representative of REDE Feto took the women's NGO position. The NGO representative commented that UN policy always gave a place to NGOs and enabled them to play significant roles in the political transition. He stated that there was close consultation with the NGO Forum, and NGOs thus had an influence on the policies. Most notable was the fact that NGOs' argument that the new Electoral Law should allow independent candidates, not just political parties, to contest the election was accepted, and indeed three women NGO candidates eventually stood (albeit unsuccessfully) under that provision. NGOs also argued strongly for consultation with the people about the drafting of the new Constitution, an argument not supported by the political parties, but eventually accepted by the UN which enabled the establishment of short-term District Constitutional Commissions for this purpose.<sup>46</sup>

In 2000 three major conferences were held, each of which was significant for civil society and its role in East Timor's future. These were the Tibar Conference, the REDE Conference and the CNRT Congress.

*The Tibar Conference*

From 29 May-2 June, an important conference 'Reconstructing East Timor: Analysis of the Past and Perspectives for the Future' Conference (2000) was held, auspiced by the CNRT with a great deal of donor support. Some 450 Timorese and international participants reviewed plans the CNRT and others had made at the earlier strategic planning conference held in April 1999 in Melbourne. That conference had envisaged

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<sup>46</sup> Respondent 55.



Timorese taking over control without the devastating impact of the post-ballot destruction. The Tibar conference worked in ten Commissions, each of which considered prepared papers, a small number of which were by NGOs. The Governance Commission considered the design and structure of the new government, but also stated:

‘Civil society organisations representing all sectors of the community, which are independent of the state and the corporate sector must be encouraged to debate and suggest policies and involve actively in the process of decision-making, implementation and evaluation.’ (Tibar Document 2000:14).

*REDE network: giving women a voice*

In early 2000 a small number of women’s and women-related NGOs had come together with the idea of trying to give women a greater say in the nation’s development. From 14-17 June 2000 they held a national women’s congress, which was attended by over 500 women from all parts of the country. The national congress was preceded by a series of district women’s meetings, so the results drew heavily from women across the nation. It agreed a *Platform for Action for the Advancement of Women of Timor Lorosae* (REDE Feto 2000). The Platform identified the following issues as critical areas of concern: poverty, law and order, reconciliation and justice, culture of violence and decision making and institution-building. These were the priority issues for East Timorese women. Workshops on ten sectors developed recommendations in the following sectoral areas: Human Rights and Reconciliation; Legal/Judicial; Politics and Governance; Economics and Natural Resources; Social and Cultural Issues; Vulnerable Groups; Media and Communication; Agriculture and Environment; Health; and Education. The Platform illustrates clearly the long term priorities for East Timorese women in each of these sectoral areas. ETTA’s Gender Affairs Unit then used it as a basis for policy development for the Transitional Government, and the Congress also provided the stimulus to develop REDE and its ultimately relatively successful campaign for women’s representation in the Constituent Assembly (REDE Feto 2000).

### *The CNRT Congress*

In August 2000 the CNRT held its first Congress inside East Timor, an important event which developed a 'Pact of National Unity', restructured the CNRT itself to enable it to function effectively through the transition process, and passed a series of important resolutions about that process and the desired future of the country. The Congress urged UNTAET, in order to avoid 'suspicion and conflict between political parties and also between political parties and civil society... to enable the civil society to carry out its rights within the democratic system', including monitoring government activities. It recognised that people should be able to criticise and provide ideas, hold others accountable, and exercise their rights (CNRT 2000:26).

Thus by late 2000 the rightful place of civil society in the development of the new nation was formally accepted by major sectors of East Timor's society, particularly political society.

### *Preparing for elections through civic education*

The first significant step in establishing the framework for the new nation was the development of the Constitution. This was to be undertaken by the 88-member Constituent Assembly to be elected in late August 2001. This was the first time that East Timorese political parties would be free to canvass voters across the nation, and was to be the first real test of whether East Timor could manage its political affairs in a peaceful way. In preparation, there was to be a major civic education program developed to teach people about democracy and ensure that they understood what they were being asked to vote on. The secrecy and integrity of the ballot were to be key issues. But a major controversy erupted in October 2000 over UNTAET's proposed eight million dollar project 'Civic Education for Democracy in East Timor'. Local NGOs reacted angrily to a project which epitomised for them the way international efforts were still overlooking significant local capacity. It had been students and women's groups as well as other activists now working for NGOs, who had carried out much of the voter education prior to the August 1999 ballot, under intensely repressive circumstances. 'What qualifications would international staff bring which local actors

did not have?’ was the question on NGO minds. UNTAET eventually withdrew the proposal and started the project afresh, with a Steering Committee involving local NGOs and other civil society players<sup>47</sup> (East Timor NGO Forum 2000d). The revised proposal saw 50 civil society representatives trained and then resourced to conduct civic education across the country in time for the Constituent Assembly elections.<sup>48</sup> However, the late start meant that the program was seriously delayed in getting underway and its reach less effective than it might otherwise have been. A similar exercise involving NGOs was undertaken again in early 2002 in preparation for the Presidential election.

Civic education remained one of the key activities of the NGO community. A local group called Civic Forum was formed in June 2001, supported by the US National Democratic Institute (NDI), and was active in all 13 districts with 220 groups and over 3,200 participants in 2003, promoting citizen participation and grassroots advocacy in the shaping of East Timor’s democracy (Republica Democratica de Timor-Leste 2003a:4). NDI also worked with the young women’s group *Grupo Feto Foina’s e Timor-Lorosa’e* (GFFTL) to run workshops to build women’s confidence to speak publicly and to voice their issues and concerns through Civic Forum.<sup>49</sup>

NGOs, coordinated by the East Timor NGO Forum, were also involved in monitoring the election campaigns of the political parties in the lead up to the Constituent Assembly election and monitoring the election process. They attended and reported on the main party rallies, and the campaign meetings in the districts, as part of a strategy to ensure the election campaign remained non-violent. They also monitored the polling stations on polling day itself, to assess the fairness of the poll. At the conclusion of the ballot they issued a public report on the process.<sup>50</sup>

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<sup>47</sup> The Steering Committee comprised representatives of REDE, NGO Forum, The East Timor Students Solidarity Council and the CNRT; information supplied by respondent 93.

<sup>48</sup> Respondent 93.

<sup>49</sup> I attended one of these workshops during an earlier visit to East Timor in October 2003.

<sup>50</sup> Personal observation. This occurred during my time working with the NGO Forum in 2001.

### *The Constitutional Commission and the Constitution*

NGOs were extremely concerned about the short timeframe for development of the new nation's Constitution, which initially was expected to be fully debated and finalised in only three months between the election of the Constituent Assembly members on 30 August 2001 and 15 December of the same year. Such a timeframe was seen to be totally inadequate for wide consultation across the community, particularly given the difficulties of communication in rural and isolated areas (East Timor NGO Forum 2001b, 2001c). NGOs recommended that a National Constitutional Commission be established to lead the consultation process, but this was not agreed by the political parties. In the event, UNTAET, swayed by NGO concerns, set up District level Constitutional Commissions, although there remained no formal process for the adoption of their reports by the Constituent Assembly. NGOs also lobbied hard for the new Constitution to enshrine basic human rights principles, such as freedom of speech and freedom of assembly.<sup>51</sup>

By early 2002, NGOs and civil society more broadly had established themselves as key stakeholders in the new nation's development, with views and ideas, and a commitment to a participatory and inclusive approach to nation building and respect for human rights.

### *The shape of East Timor's development: influencing the donors*

NGOs also had clear views about the nature of East Timor's development which they had been actively advocating since as early as late 1999. Much, though not all of this advocacy in the initial period, developed through Working Groups organised by the East Timor NGO Forum. They quite quickly established their role in the debates about national development through dialogue with UNTAET, the World Bank and other donors in East Timor. It was some time before NGOs began to turn their advocacy attention to the fledgling East Timor Administration itself.<sup>52</sup> Initially NGO advocacy focussed around the six-monthly donors' conferences about the relief and development

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<sup>51</sup> Personal observation during working period in East Timor in 2001. See also case studies of HAK and FOKUPERS (Chapters Six and Seven).

<sup>52</sup> Personal observation during my period working with the East Timor NGO Forum 2000-2001.

effort which was underway. Some common themes which NGOs articulated included: the need for greater focus on rural areas; support to sectors such as health, agriculture, education, and attention to vulnerable groups (children, widows etc); greater efforts to use and develop capacity of local NGOs, and local resources, including for monitoring and implementation of reconstruction and development programs; longer timeframes and more thorough community consultation processes; human rights, justice and good governance; and international staff to build Timorese capacity. They argued these in many fora, but especially at the series of World Bank coordinated donor conferences which took place from December 1999 onwards in Tokyo, Lisbon, Brussels, Canberra, Oslo and in 2002, in Dili itself. For example, 24 LNGOs and many INGOs made a joint statement to the very first donor conference on 17 December 1999, which expressed NGO concern that:

‘current development proposals appear predominantly urban-biased, when rural development and agriculture should be stressed’ (National and International NGOs 1999).

Such sentiments were echoed in many subsequent statements (for example see also: East Timor NGO Forum 2000b, 2000c, 2001a, 2001b). Since most of Timor’s poor live in rural areas, this concern for development to reach the rural poor seems well founded. The timeframe for the transition was one of the key issues raised by NGOs at the June 2001 Donor conference in Canberra:

The current timeframe allows only four weeks for popular consultation on the constitution leading to the elections. Within a further three months, the development, drafting and adoption of the Constitution by the elected assembly is to take place. Consequently the views of many East Timorese men and women will not be heard (East Timor NGO Forum 2001b).

The statement went on to request donors to financially commit to a longer timeframe, but the meeting rejected this call. Other matters raised at that meeting were the capacity of the new justice system and the failure to bring perpetrators of serious crimes to

justice in Indonesia; the need for donors to set and monitor performance indicators to ensure international staff were building the capacity of East Timorese nationals; the need for donors to support the decentralisation of decision making and greater participation of people in communities in development; and the need for greater transparency in the reconstruction process (East Timor NGO Forum 2001a). In later years, NGO statements also reflected concern that donors respect East Timor's independence (e.g. La'o Hamutuk 2003).

### *Civil Society and National Development Planning*

In preparation for nationhood, the Second Transitional Administration undertook the preparation of a National Development Plan (NDP). The process took place within a very limited timeframe but importantly a special process was included to engage civil society and the wider community. In the first quarter of 2002, Kay Rala Xanana Gusmao, who subsequently became the first President, led a 'Countrywide Consultation with Civil Society'. The process involved 980 gatherings across the country with some 38,293 people participating (Planning Commission 2002a). NGOs were involved through a small number represented on an oversight Committee,<sup>53</sup> and individual NGO members joining in the consultations.

The result of this process was a document *East Timor 2020: Our Nation, Our Future*. It illustrates that people had some clear expectations of what NGOs might be able to do for them in the future. Among the roles suggested for NGOs were provision of literacy and education, including technical training; training of health workers and operation of health clinics; assisting in agricultural development, including marketing and transport, provision of credit, and assistance in environmental management; assisting the poor and advocating on their behalf; assisting widows, especially with house building; promoting livelihood activities for women and training for youth; promoting peace, reconciliation, human rights, including women's rights to live free from violence, and democracy (Planning Commission 2002a). These reflect many of the areas where NGOs had already become involved, but there was obviously scope for a great deal

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<sup>53</sup> Respondent 85.

more to be done in a poor war-torn nation in which 46 per cent of the rural population were classed as living in poverty (Hill 2001, UNDP 2002b).

The NDP itself was developed in a tight time-frame in the lead up to independence in May 2002, with very limited opportunity for NGO comment (East Timorese and International NGOs 2002). The draft report was written in English and NGOs reportedly had only one week to read selected chapters before public meetings to discuss them (La'o Hamutuk 2002). Nevertheless it recognised that NGOs and wider civil society had roles to play in assisting with service delivery particularly in areas such as education, agriculture, fisheries and forests, monitoring development, and promoting transparency in the public sector to minimise corruption (Planning Commission 2002b). How NGOs and other stakeholders would participate in the implementation of the National Development Plan remained to be determined.

At the May 2002 donors conference, the first held in Dili itself, at which the National Development Plan was the focal issue, the NGO statement emphasised that despite the participation of civil society groups in the process, the timeframe within which the plan had been developed had not enabled an inclusive and informed debate about the plan across the community, commented on the sustainability of the use of Portuguese language in the education system, and the absence of the justice issue as a challenge to be dealt with in the NDP (East Timorese and International NGOs 2002).

Notwithstanding these difficulties, the State of the Nation Report prepared prior to independence recorded the active and robust civil society existing, the prominent and constructive role they had played in civic education and constitutional development, and stressed the importance of NGO participation at all levels after independence (Planning Commission 2002c: 45-46).

## 4.5 NGOs and the new government

Once the new government was in place and independence celebrated on 20 May 2002, UNTAET's mandate ended and a new UN mandate was to be implemented by the UN Mission in Support of East Timor (UNMISSET), essentially to provide the necessary support to the new sovereign government (United Nations 2002b). This period marked a significant change for NGOs. In the absence of a legitimately selected government, UNTAET had developed a close relationship with NGOs as one set of stakeholders in the new nation. Once a legitimate government existed, that became the focus of attention, and NGOs were no longer consulted as a matter of course. Neither were NGOs clear how to relate to their new government.

Some monthly government-NGO meetings which had begun during ETTA's period of administration continued. These included international as well as local NGOs, and tended to deal with issues such as taxation and import issues, regulation and registration, a standard memorandum of understanding for INGOs and updates from government about its structures and processes<sup>54</sup> (UNTAET National Planning and Development Agency 2001). However, these meetings did not deal directly with the wider question of how the government saw the role of Timorese NGOs in national development. There was no formal policy, so NGOs began to explore for themselves where they might work with government.

In August 2003 the new Government of Timor-Leste held a consultation with civil society on the development of a 'High Level Mechanism' to 'encourage and facilitate the participation of all Timorese stakeholders in the implementation, monitoring and adjustment of the (National Development) Plan and other development activities in Timor-Leste' (Republica Democratica de Timor-Leste 2003b:1). NGOs, church, women's, youth, and other groups as well as representatives from different parts of government participated (Republica Democratica de Timor-Leste 2003b). Almost eighteen months later, in July 2005, a civil society working group set up to take this

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<sup>54</sup> Respondent 86.



concept forward had barely met,<sup>55</sup> and it seemed that this initiative was stalled. The reasons for this lack of enthusiastic engagement may be the sense that NGOs had limited input to National Development Planning and felt limited ‘ownership’ of it, and the speed with which the HLM was promoted, so they had little time to form a consensus view about it.<sup>56</sup> There also appeared to have been some misunderstandings about whether the government or civil society was expected to lead this process, and the civil society chair, the CEO of Timor Aid, was exceptionally busy, including in her role chairing the Electoral Commission.<sup>57</sup>

The issue of NGO legislation and registration again emerged, as NGOs felt that they had no legal basis for existence. The NGO Unit in the Ministry of Planning and Finance began considering the issue of NGO legislation and registration, trying to get a whole of government approach adopted. As a first step this Unit developed a nationwide database of NGOs, including the sectors and districts in which they were working. This was not an easy task, but they completed an initial survey and had a basic data base. This indicated that, in 2004, some 137 LNGOs had been identified, 93 of them based in Dili (Ministry of Planning and Finance 2004). Efforts in mid-2004 by UNDP to help advance the process through a seminar based on the early UNTAET draft regulation was not attended by key government Ministries, indicating their reluctance to discuss the matter publicly at the time.<sup>58</sup>

By early 2005 it was believed by NGO personnel that the Ministry of Justice had an Associations Law drafted to grant legal status to for-profit and nonprofit organisations alike, pending the development of a Securities and Exchange Commission. It was not clear how that would relate to a law or regulation specifically on charities or nonprofit organisations, which the Ministry of Planning and Finance may administer. There was to be considerable work undertaken to clearly define NGOs and develop the key legislative base for their operation and registration. In the interim the old Indonesian

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<sup>55</sup> Respondent 87.

<sup>56</sup> Respondent 88.

<sup>57</sup> Respondent 37. This respondent was a member of the Civil Society Working Group.

<sup>58</sup> The Workshop was entitled ‘Promoting an Enabling Environment for Civil Society in Timor-Leste’ held on 29 June 2004 in Dili. I attended this workshop during my fieldwork.

law still applied. In June 2005 the Council of Ministers passed what became Decree Law No. 5/2005 of 3 August on nonprofit-making corporate bodies. This legislation was directed to associations of all types, including both associations and foundations, each of which had previously been the subject of separate laws. This law set out the proposed relationship of these associations with the state as follows:

Associations and foundations administering funds allocated by the State, benefiting from any form of assistance from the State or receiving funds from development partners for the purpose of implementing any activities included in the National Development Plan, are subject to direct oversight by the Ministry of Planning and Finance (Democratic Republic of Timor-Leste Government 2005: Article 11).

The law had not been promulgated to associations but, as a Decree law it needed Parliamentary endorsement, to ensure that it was consistent with the Constitution, before it could come into effect. This was eventually granted in November 2005. NGOs seemed relatively unconcerned about this legislation, and paid seemingly little attention to it,<sup>59</sup> although the NGO Forum had been organising regular meetings on the topic.<sup>60</sup> NGO attention at the time was far more focussed on the Timor Sea Fund Petroleum Law, in which they wanted greater transparency and greater attention to community benefit.<sup>61</sup>

By late 2004 the number of active Timorese NGOs had clearly reduced from earlier years, as the Ministry's survey indicated, notwithstanding the difficulties in conducting it accurately. This was borne out by the NGO Forum's own observations, as active NGOs, particularly in the districts, reduced in number for lack of donors.<sup>62</sup> Donor funding to NGOs was reducing, as their attention turned to building the state's capacity to deliver services to its population, and discussions about the form and funding of decentralised or local government began. Total donor funding of some US\$4m to civil society (including both international NGOs and local organisations) in 2004-05 was

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<sup>59</sup> Respondent 7.

<sup>60</sup> Respondent 74.

<sup>61</sup> Respondent 103. See also Cleary (2007).

<sup>62</sup> Information provided by respondent 74.

scheduled to fall to less than US\$1.5m in 2005-06 and reduce further to around US\$1m in future years. This was under one fifth of donors' civil society support at the peak year (2003-04) of US \$5.4m (Ministry of State Administration 2005:20) (Appendix F provides information about the major donor civil society programs of the period). The NGOs were therefore becoming increasingly reliant on their international NGO partners rather than official donors for funding.

## **4.6 Conclusion**

In the period from May 1999 to May 2002 local NGOs had experienced many dramatic changes, and played a great number of roles. Initially supporting the population through their human rights and humanitarian work, they had been largely overlooked in the emergency response after September 1999, but soon regrouped and played an active part in trying to enable the population to have a say in the shape of the new nation and to participate in its development. They were actively involved in the pre-election processes for the Constituent Assembly as well as advocacy around the Constitution. Their activities also focussed around donor conferences where they advocated consistently for a participatory, rural-focussed approach to development, and timeframes which would enable people to have a say. NGOs were less involved with the rather rushed process of developing the National Development Plan, which envisaged that NGOs would play some key roles, though a mechanism for ongoing review and engagement of civil society never materialised. As the new government settled into its work, NGOs were unclear how their relations with it would develop, and felt their way rather carefully in the new political environment. Their central role in the UN period had been eclipsed and the donor focus was now on supporting the new state to function effectively.

The next four chapters provide detailed case studies of six leading NGOs during the period of transition covered by this chapter. Each provides some initial background about the history of the NGO and then explores the ways it responded to and tried to influence events in this five year period.

## CHAPTER FIVE

### THE CASE STUDY NGOS: CARITAS DILI<sup>63</sup> AND ETADEP<sup>64</sup>

The chapters which follow examine how the six Timorese NGOs selected for detailed study wove their way through the changing fabric of East Timor's history, particularly over the five year period described in previous chapters. Fowler's (1997) capacity framework referred to in Chapter One recognises that as the context changes, NGOs have to assess this and adjust their strategies. It brings together the internal organisational capacities of an organisation with the external conditions in which it operates, and it is this nexus which is of interest in this study. Of the six NGOs selected, two were established well before the 1990s; two established in East Timor in the mid-1990s and two formed in the 1990s initially outside East Timor by Timorese exiles in one case, and by Timorese students in Indonesia, in the other. This chapter focuses on the two older NGOs, Caritas Dili and ETADEP.

#### 5.1 Caritas Dili

Caritas Dili is an agency of the Social Commission of the Catholic Church in the Dili Diocese. Its origins go back to the 1970s when a group of clergy and lay Catholics in Indonesia, during the famine of the mid-1970s, organised themselves to deliver relief from across the border at Atambua in West Timor. It was later named DELSOS (Delegatos Social) and moved to Dili where it mainly worked in providing relief to people who were displaced, organising groups to provide them with medicines and

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<sup>63</sup> Prior to 1999 the predecessor of this organisation was known as Caritas East Timor. In this case study the term Caritas East Timor will be used for the period until September/October 1999. After that the organisation became Caritas Dili and is referred to by that name.

<sup>64</sup> ETADEP stands for Yayasan Ema Mata Dalan Ba Progressu (Road to Progress Association), and translates as East Timor Agricultural Development Program.

other necessities through the parishes. It particularly tried to give support to orphans, widows and disabled people.

By the early 1990s it had reorganised itself and become Caritas East Timor. It began to grow after 1996 when it started to develop a health program, and, later, a rural development program, including a revolving loan fund, and a women's program particularly focussed on assisting widows. It also added an education and training program, which was intended to establish Caritas at the parish level, but this was never achieved, in part because of the security situation, in part because of a lack of organisational capacity. Up until early 1997 Caritas was very small. It had about six staff, including a driver; there was a Director and program staff, but no finance manager.<sup>65</sup>

#### **5.1.1 Caritas East Timor 1997-1999**

In 1996 Caritas East Timor was already operating a health program supporting Catholic health clinics and, with support from Caritas Norway, it began a tuberculosis (TB) program through those clinics.<sup>66</sup> At that time many in the Timorese population preferred to get health treatment from Catholic clinics, which represented about a third of the total health clinics in the (then) province. Encouraged by Bishop Belo, and assisted by Caritas Norway who mobilised an international adviser, Caritas Dili recruited a Timorese doctor (who became the Minister of Health in the first Timorese Government) and began to develop a TB program to an internationally acceptable standard (i.e. that of the International Union Against Tuberculosis and Lung Disease/World Health Organisation IUATLD/WHO). Caritas Dili was aware that it was establishing a central TB Unit and creating a parallel system to the government, but in the circumstances felt justified in doing so.<sup>67</sup>

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<sup>65</sup> Early history of Caritas East Timor was provided by respondent 27.

<sup>66</sup> The Indonesian Government health system began a TB program in 1998 a little later than Caritas Dili, with three pilot clinics also aiming to reach a WHO acceptable standard.

<sup>67</sup> Details of the health program provided by respondent 33 and seminar by Dr Nelson Martins.

Caritas East Timor's Rural Development Program (RDP) began in late 1997. It involved three farming communities (Casnafar, Faturia and Con Chin) high in the Comoro valley to the west of Dili, and was jointly funded by Caritas Australia and Caritas Aotearoa (New Zealand). The program involved assisting these communities with dryland farming, including terracing, distributions of seedlings for trees (such as mango, orange, candlenut, jackfruit and coconut) and provision of water and sanitation. Group functioning was informal and relatively weak, but Caritas East Timor's presence was seen as a form of political protection in a very intimidatory context. The RDP also began to extend into Oecusse, following food distributions there during the 1998 drought, and to the Maubara District. The program initially had five staff but the numbers reduced in 1998 to three, and reduced again in 1999 when the Programme Manager worked partly for the World Bank, and also studied English in Jakarta for a number of months. He eventually left in April 1999 to study abroad.<sup>68</sup> In 1997 Caritas also developed a Women's Promotion Programme, to train parish women, especially widows, in basic skills such as sewing, food preparation, and building an understanding of women's issues. This program grew out of the earlier work with widows.<sup>69</sup> At this stage the idea of developing a parish education and training program to build a parish Caritas network had also been considered, but could not be implemented due to the security situation. Caritas had to rely largely on a loose network of individual priests and catechists, as community organising was too difficult.<sup>70</sup>

All Caritas East Timor's funding came from Catholic sources, some from the Diocese and the rest from international Catholic NGOs. The Catholic NGO partners had instituted an international forum with Caritas East Timor representatives, held twice a year from around 1996-97. At a Bali meeting of this forum in 1998, there was recognition by the Social Commission of the Diocese that Caritas East Timor needed to be restructured and strengthened. From an international donor perspective, Caritas East Timor's reporting and accountability were weak, although it was doing its best with its limited skills in development management to respond to people's needs in a hostile

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<sup>68</sup> RDP information provide by respondent 32 and Caritas East Timor (1999).

<sup>69</sup> Women's promotion program information provided by respondent 27.

<sup>70</sup> Respondent 35.

environment.<sup>71</sup> At the urging of some of its donors, and, with their support and encouragement, Caritas East Timor undertook some organisational development. The TB Unit was already well advanced compared to the rest of the organisation, and a reorganisation attempted to utilise some of its strengths to help develop the capacity of the whole organisation.<sup>72</sup>

In 1998 a second Diocese was formed in East Timor, centred on the second largest town, Baucau. Caritas Baucau began to operate in July 1999, with responsibilities for the Eastern part of the country covered by the Baucau Diocese.<sup>73</sup> The implications of these changes for Caritas East Timor were being absorbed as the emergency worsened in late 1998 and early 1999.

### **5.1.2 The emergency period before the ballot**

By February 1999 the RDP was not really functioning as its staff were instead responding to the growing humanitarian and human rights crisis caused by militia violence. Caritas East Timor was organising food distributions and medical assistance, especially to IDPs in Dili, Atauro, Ainaro, Maubara, Hatolia, Liquica, and other parts of East Timor. Emergency food distributions were through church networks, and ‘on demand’. That is, they were provided when priests, nuns or catechists came to Caritas East Timor seeking assistance for the people in their parishes. Food distributions were also provided from the Caritas East Timor office (e.g. to IDPs) and throughout Dili in locations to which IDPs had fled, as well as to IDP camps whenever they could gain access to them. A team of volunteers had been formed to assist with all this work, mainly comprising health or social work students. This team was quite effective, but there were management difficulties and it was hard to get things done at times. By this stage Caritas East Timor had about 25 paid staff, but its management systems remained weak.

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<sup>71</sup> Respondents 33, 27.

<sup>72</sup> Respondents 30, 33.

<sup>73</sup> Respondent 30.

It is probably fair to say that the then Director of Caritas East Timor was not focussing primarily on the operational management of Caritas East Timor's response to this humanitarian emergency during much of 1999. Rather he was primarily supporting and nurturing the leaders of the resistance movement (CNRT) at a time of intense crisis in the resistance struggle.<sup>74</sup> However, other staff managed the programs as best they could, in the very difficult circumstances. They had some support from fourteen religious Solidarity Volunteers provided by Caritas Australia and Aotearoa to act as witnesses and to accompany them as they worked. Caritas East Timor was described by one international partner as 'a hive of underground activity...programming was a bit secondary...'<sup>75</sup> The Catholic Church itself was playing a leading role in protection of the population, and in convening negotiations between the conflicting parties in Indonesia and East Timor (Crowe 1995, Martin and Mayer-Reickh 2005).

### **5.1.3 Response to the September crisis**

At the time of the emergency in September 1999 it was reported that the Director of Caritas East Timor, (and perhaps other Caritas East Timor staff) had been killed (Caritas Australia 1999). Believing this to be true, Caritas Internationalis immediately asked Caritas Australia to act temporarily as Caritas in East Timor, to assume the role which would normally fall to the local Caritas member as the Liaison Agency for a Caritas Internationalis emergency response. In late September Caritas Australia found out that the Director was alive, and other Caritas East Timor staff started reappearing. An initial meeting between Caritas East Timor's Director and staff and key staff of Caritas Australia took place in Dili on 4 October 1999 (Hunt 2002).

Initially Caritas East Timor pulled together the staff and volunteers it could and tried to console people who had been severely traumatised. Without resources to address their

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<sup>74</sup> Personal observation and an interview with respondent 32 who was a senior staff member of this NGO. It was through this NGO that a visiting NGO delegation to East Timor which I led in June 1999 was able to make contact with and meet resistance leaders then in hiding.

<sup>75</sup> Informant 97.



material needs, they focussed on people's emotional and spiritual needs until material help arrived. Then they formed several teams to help provide food, water, clothes and basic necessities. However, with the influx of international aid, it was evident that good coordination would be vital. To this end, Caritas Australia organised a conference in Darwin designed to plan coordination among Catholic agencies in East Timor. Held on 19-20 October the conference involved both Bishops from East Timor, and was addressed by the recently released CNRT leader, Xanana Gusmao, and CNRT diplomatic representative, Jose Ramos Horta—an historic meeting of all four East Timorese leaders. The conference tried to establish a framework within which the members of Caritas Internationalis would work with the local Caritas organisation. One of the first tasks was to help reestablish Caritas East Timor. Their office had been trashed and looted, but was still standing. Bishop Belo subsequently announced that the former Caritas East Timor office would become Caritas Dili, while the Baucau Diocese would form an independent Caritas Baucau. Caritas Australia, which had committed to reestablish Caritas East Timor in Dili, replaced office equipment and materials trashed or looted during the rampage, for what became Caritas Dili. It also provided funds to pay 80 Caritas Dili staff (31 permanent and 49 volunteers) until March 2000. US-based Catholic Relief Services (CRS) focussed its efforts on Baucau (Hunt 2002).

However, the previously close partnership between Caritas Dili and Caritas Australia soon became seriously strained. Caritas Australia was already conducting food aid operations as a contractor to World Food Programme (WFP) within the UN emergency framework, and this role overshadowed its role as a Caritas East Timor partner. As one former Caritas Australia staff member explained:

Caritas East Timor was suddenly overrun by an international NGO (Caritas Australia) with expatriates who implemented their own program, sidelining Caritas East Timor. This was the only way it could have been done as emergency relief was urgently required (people had very little food) and Caritas East Timor did not have the capacity.

Additionally Caritas East Timor was unable to operate in an accountable and transparent manner acceptable to donors.<sup>76</sup>

This quotation sums up the problems which emerged between Caritas Dili and Caritas Australia in terms of the latter's lead role for the international Caritas emergency response. The initial circumstances contributed to the situation. When food aid deliveries by Caritas Australia began on 7 October 1999, Caritas Dili had not yet fully regrouped and certainly had not been reestablished. The initial meeting between Caritas Dili and Caritas Australia had only taken place three days before. The international community believed the people's needs were urgent, and Caritas Australia, along with other INGOs, became involved in the emergency response. Caritas Dili's Director at that time did not understand why international organisations were in such a rush, and felt Caritas Dili, which had performed this role before, should be involved. As it reestablished its staff felt excluded. Caritas Dili's perception was that Caritas Australia was taking over its normal role.<sup>77</sup> Priests were telling them there were people without food, but they could not respond as they always had. This was demeaning to them, given the major role they had played earlier. Caritas Dili was unwilling to operate according to the food distribution system which by then was in place, coordinated by the World Food Programme. It is evident that Caritas Dili wanted to operate according to the methods which it had used during the Indonesian occupation—using church networks, not recording names of recipients, setting rice aside for future needs, and generally not being transparent because it was dangerous to be so. This is how they had operated before and they were not willing to suddenly change. In their eyes, this was clearly the best method to ensure that food reached the neediest. But in the emergency system, the WFP had strict standards and criteria for food distributions and had the country divided up between INGOs to ensure coverage. Its accountability frameworks were not consistent with how Caritas Dili wanted to operate and were outside their capability at that time (Hunt 2002).

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<sup>76</sup> Former Caritas Australia staff member involved in the food distributions, quoted in Hunt (2002:37-38).

<sup>77</sup> In fact, the very strong mandate from Caritas Internationalis supported this.

Eventually Caritas Dili gave up the struggle to be involved in the general food distributions and decided to get back to development work. However, it provided food and support to FALINTIL people and other resistance leaders who were still in the mountains, and who were not receiving support from elsewhere. This conflict over emergency food distributions occurred in the wider context of UN exclusion of Timorese generally from the international response. For Caritas Dili, the whole experience affected their morale and strained their relations with Caritas Australia, one of their major partners. It also seemed to have affected their trust in partners to work with them on an equal basis. So while they knew they needed to develop their capacity and address management weaknesses they were cautious about how that would occur (Hunt 2002).

#### **5.1.4 Return to development programs**

Largely excluded from the emergency response,<sup>78</sup> Caritas Dili gradually began to restore itself and its programs with a view to the longer term. The Health and Rural Development Programs recommenced, the former with major new responsibilities.

##### *Health Program*

At the time of the militia rampage in September 1999, 77 per cent of national health facilities had been damaged, senior health staff from all levels, especially doctors and other core professionals who were Indonesian, had fled to Indonesia, leaving the health system in a state of collapse (East Timor Tuberculosis Control Programme 2003a:4). The Catholic Health clinics were also damaged, and international health NGOs moved quickly to start providing health services, often drawing on local clinic staff and using those facilities which remained. Caritas Dili initially helped identify health needs and assisted the redevelopment of a number of priority Catholic health clinics in parts of the country where no international NGOs were operating. These

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<sup>78</sup> This applies to Caritas Dili's experience in Dili and other parts of East Timor. In the enclave of Oecusse, some Caritas Dili staff worked together with Caritas Australia staff and had a more positive experience (Hunt 2002).

clinics were run by various religious orders, and Caritas Dili supplied cheap medicines to them.<sup>79</sup>

In response to the severe trauma many people had experienced, Caritas Dili also developed a new psycho-social rehabilitation program with support from Caritas Australia. It planned to produce and broadcast a weekly radio program on Radio Kmanek, *Healing Through Memory*, run community level peace education programs and conduct workshops in trauma healing and reconciliation for community and church leaders. While it did some of this, the demands on the one trained Programme Coordinator were overwhelming, including for intensive counselling for 16 severely traumatised individuals and families, and support for church and other community leaders dealing with trauma of community members. Unfortunately when the Programme Coordinator left in August 2000 to join the East Timorese Government, a suitably qualified replacement could not be found. An Australian-Timorese volunteer recruited by Caritas to assist the Coordinator tried to help continue the program, but became sick and returned to Australia, and the program was then discontinued (Hunt 2002).

### *The TB Program*

The crisis itself exacerbated the pre-existing problem of high TB prevalence. In December 1999 UNTAET asked Caritas Dili to be the lead agency for the National TB Program. An agreement was signed in early 2000 between UNTAET, acting as the government of East Timor, international agencies with a range of support roles, and Caritas Dili giving them responsibility for establishing and running the Health Department's National TB Program for five years (i.e. until 2005) (East Timor Tuberculosis Control Programme 2003a:5). It began operations in early 2000, effectively transforming the Catholic clinic TB program operating prior to the emergency into a national program. Caritas Dili was responsible for the development of the Central Unit of the National Tuberculosis Program (NTP), which managed the program overall, coordinated, plans, provided technical guidance to the field level,

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<sup>79</sup> Respondent 34.

obtained resources and procured drugs centrally. Caritas Norway provided financial and technical support, while the World Health Organisation (WHO) provided technical support, overall management strengthening and staff training, and external monitoring and evaluation. Until the end of 2001 additional technical support was also provided by the Northern Territory Ministry of Health, supported by AusAID. The World Food Programme (WFP) initially also provided adequate nutrition to patients during medical treatment. Throughout, the Ministry of Health was formally responsible for the TB program, to ensure that it was developed in accordance with Ministry policies, that staff were trained, that it approved the Director and the annual plans, and that it had been well integrated with district health services (East Timor Tuberculosis Control Programme 2003a:53-55). This collaboration appears to have been extremely successful.

In March 2003 a review report by the program's Technical Advisory Committee noted that there had been considerable progress with Direct Observation Treatment Service (DOTS) expansion, including some satellite centres in sub-districts to get treatment closer to patients, the NTP was functioning in all 13 districts of East Timor, including 27 laboratories functioning in the districts, treatment outcomes had improved, and a NTP manual and laboratory manual had been developed and was available. The report also recognised a number of major challenges, including the need for improved laboratory services, a national health education program, strengthening training capacity at the centre and gradual expansion of the DOTS programs to the sub-district levels (East Timor Tuberculosis Control Programme 2003b, Caritas Diocesna Dili 2003). By the end of 2003, the program was covering eight per cent of the population and 78 per cent of the sub-districts (Caritas Diocesna Dili 2003). It was seen by many as a 'shining light' of the reconstruction process in East Timor. This is attributed to the fact that the TB program was not based on the fallacy of a Timorese 'blank slate', a problem which afflicted other aspects of the reconstruction; in the emergency period it worked with the single political voice, the CNRT; and it combined the expertise of the locals and expatriates, drawing on international best practice, but applied it with sound

knowledge of the local context and a willingness on the part of local people to learn from international experience (Martins 2004).

Gradually, in line with the UNTAET agreement, the NTP was handed over to the Ministry of Health to run from 2005, drawing largely on East Timor Government staff that had been trained by the program. Initially all staff were employed by Caritas Dili, but from 2002 the Government began a recruitment process, so that gradually some Caritas staff were shifting across to government positions, and Caritas continued their training.<sup>80</sup> Not all Caritas staff were to go across to the Ministry, which had no doctor position, for example, and Caritas Dili expected to continue to provide support, especially to the Catholic clinics.

The TB program tried to expand its use of community volunteers, who were selected after a one day workshop at sub-district level, involving community leaders and key people.<sup>81</sup> At the workshop, health staff explained the TB situation and how the community could help address it, and then community volunteers were identified by the community itself. Once suitable volunteers were selected, Caritas provided follow-up training to them. One approach, especially for people in isolated areas who could not reach or afford transport costs to a clinic, was to have volunteers who could go to their areas, providing health education and collecting sputum for TB testing. Thus the model for the TB program involved government, NGOs (in some districts) and community volunteers.<sup>82</sup>

In 2005, as Caritas Dili's role in the National TB Program wound down, it was planning to develop new roles in health, and while it continued to support work on TB in Catholic health clinics, in future it wanted to focus on community participation in broader health education. Its focus would be on prevention of the major diseases in East Timor, notably malaria, respiratory tract infections, diarrhoea, and prevention of

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<sup>80</sup> For example, at the end of 2003, 43 per cent of the 60 NTP staff were employed by the Government, while 56 per cent were employed by Caritas Dili (Caritas Diocesna Dili 2003: Table 5).

<sup>81</sup> In earlier attempts, the local clinic selected the person for training, but the community-selection method seems to have been more effective (respondent 34).

<sup>82</sup> Respondent 34.

maternal mortality. The Ministry of Health was also realising that, due to its limited resources, it would achieve more by working with NGOs in some districts. The staff of the Ministry of Health went monthly to each district to help with planning, and to define tasks for NGOs, but there was limited planning capacity in the districts and technical expertise was hard to find. In June 2004 the Government decided that each District Health Management Team could include an NGO, since it was difficult for government staff alone to meet the people's needs.<sup>83</sup>

#### *HIV/AIDS Program*

Caritas Dili's HIV/AIDS program was a new initiative closely related to the National TB program. This initiative provided for a dedicated HIV education program with 11 staff, including a coordinator in each district. Its efforts were focussing on health education messages to young people in a context in which HIV data was very limited. These messages were being disseminated through young people in the parish structure, including the Catholic Scouts, and the apostolic workers. However, because of its Catholic base, only the first two parts of the 'A (Abstain), B (Be careful) and C (use a Condom)' message were being promoted. While HIV-related activity was begun by NGOs, the Government made it a priority, developed a National HIV strategy, and established a National Council on HIV/AIDS, although there were concerns at Caritas Dili that this Council was not really functioning.<sup>84</sup>

#### *Rural Development Program (RDP)*

The objectives of the restored RDP program demonstrated significant continuity with the earlier program. These were: to increase family income by increasing production; increase the farmers' technical agricultural knowledge; enable farmers to analyse their problems and identify their needs; facilitate access to water in the villages; and build the capacity of the RDP staff themselves. The program continued to focus in the same three localities in the Comoro Valley, some new areas in Maubara, and on sustainable agriculture and agroforestry, terracing, water supply, fish ponds, horticulture and

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<sup>83</sup> Respondent 34.

<sup>84</sup> Respondent 34.

training in general analysis. However, the program was by then able to encourage community organising and promote exchanges to enable farmers to learn from others.<sup>85</sup> Caritas Australia and Caritas Aotearoa remained its partners in this program. After the emergency, restoration of funding from Caritas Australia was slow, in part because there were accountability problems outstanding from an unfortunate experience during the emergency period.<sup>86</sup> However, funding and support from Caritas Aotearoa had enabled Caritas Dili to recommence their program in April 2000, initially without Australian support. By mid-2000 the RDP had a new coordinator, one field officer, and an assistant coordinator, and was looking forward to recruiting a second field officer. Staff had also overcome some early transport problems which had restricted their ability to get to the field. The delay in the restoration of Caritas Australia funding had also limited what Caritas Dili could do. This and the stop-start nature of progress after September 1999 affected communities and damaged Caritas Dili's credibility, although as it returned to its previous level of operation, communities reportedly appreciated that it had picked up where it left off in early 1999.<sup>87</sup>

Getting community groups to work well was not always easy, and staff trained in the Indonesian 'modernisation' approach to agriculture were not necessarily skilled in community development or strengthening traditional agriculture systems in sustainable ways. In 2002 a new group who lived in Barcaun approached Caritas Dili for help. They wanted to restore 13 hectares of land which they had abandoned during the Indonesian period and needed help to clear and plough it. Caritas arranged for ETADep to plough the land, while the community agreed to repay Caritas Dili with the harvest from two hectares of the land as a contribution towards Caritas' Social Assistance program, to be used as food distribution or revolving seed programs. One further development was activity in a new area, Maliana, which began in 2003,

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<sup>85</sup> One exchange program on terracing had occurred in 1998, but such activities were interrupted by the worsened security situation, the crisis of September 1999 and its aftermath (Respondent 32).

<sup>86</sup> In 1999 AusAID provided Caritas East Timor with A\$200,000 via Caritas Australia for medicines for the emergency response. Because of difficulties in obtaining medicines at the time, they were purchased through Surabaya and brought in by boat. The first batch arrived and was distributed. The second batch, due to arrive the week of the rampage, was never delivered, causing accountability problems for both Caritas Dili and Caritas Australia.

<sup>87</sup> Information about the Rural Development Program provided by respondent 32.



focussing on water and sanitation, following a specific parish request. Thus the program was expanding and developing some early ideas about sustainability.<sup>88</sup>

One of the difficulties that the RDP faced since 1999 is that it experienced a succession of coordinators. One went to work for UNDP, another became a Member of the Constituent Assembly (now the Parliament), a third moved to another NGO. Finding an appropriately qualified coordinator, and then keeping him or her, has been particularly difficult. The coordinator in place in late 2004 started in late 2002 and the program seems to have attained more stability since then. He said that now the country is free, they want to help people feel the independence. The capacity of farmers was different now. Farmers' groups were able to make proposals to Caritas Dili, whose staff then went to the area to assess them. They also gave these groups Participatory Rural Appraisal (PRA) training, to enable them to do problem identification and planning and identify their own priorities. Some early assistance in reflecting on and evaluating the RDP has come from Caritas Aotearoa, whose staff has made six-monthly visits assisting with planning and reporting, and tried to arrange special 'accompaniment' and support for this program—although finding the right staff to provide specialist rural development support was difficult (Caritas Dili 2003).<sup>89</sup>

In the past, due to the security situation, Caritas Dili could not work closely with other NGOs, but it was now able to become an active member of the agricultural network, HASATIL. Caritas Dili found this very helpful as a way of building their staff's capacity, through sharing experiences and drawing on other NGOs for training themselves and community partners. HASATIL also facilitated exchanges and helped with evaluation. For example, HASATIL put Caritas Dili in contact with the Buka Naroman Group in Baucau. This group, supported by SAHE, had done terracing, horticulture, organic compost, composting toilets and banana production, and was growing mangoes, cashew nuts and corn. Ten farmers from five groups supported by Caritas Dili made this study visit in October 2003 (Caritas Dili 2003). Caritas RDP

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<sup>88</sup> Respondents 32, 30.

<sup>89</sup> Respondent 32.

staff also participated in one exchange visit to learn more about agriculture in Kupang in 2003, through a personal contact of the program coordinator there, and three of their partner farmers participated in an agricultural study visit to Solo in Java, organised by HASATIL in July 2004.<sup>90</sup> CRS provided other useful support through its agricultural adviser and training in community organising, program planning, monitoring and evaluation. The program developed a positive relationship with the Ministry of Agriculture, and Caritas Dili participated in training provided by the Government. While the NGO and the Government were both heading towards the same goal, Caritas Dili staff said that technical implementation may be different. For example, Caritas Dili was promoting organic fertilizers, while the Government was supporting chemical fertilizers, which many farmers could not afford.<sup>91</sup>

The goals for the future were (1) to strengthen the communities, and (2) to strengthen the capacity of the staff at Caritas Dili, both in the technical level for those who work in the field in agriculture, and at an organisational level, in terms of management and leadership. It was considered particularly important that staff learned how to organise people, so that the people could organise themselves.<sup>92</sup> It is notable that the 2003 RDP Annual Report notes a number of problems with groups not working well together or failing to carry out agreed tasks. Conflicts and problems within groups seemed to have been a significant constraint on the program's success. Some groups seemed to have lost interest in specific activities (e.g. terracing), while others made considerable progress (Caritas Dili 2003). There was a tendency of groups to identify needs and then expect Caritas to supply them, perhaps reflecting the Indonesian top-down approach. Caritas Dili's own staff were still working through their own understandings of rural community development, so these issues remained challenging for them. Caritas Dili RDP was planning 2005 as a year of transition for the groups it was then supporting, so that it could leave them to carry on without support and shift Caritas Dili RDP attention to other areas. According to the RDP strategic plan, the program wanted to have a

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<sup>90</sup> Respondent 32.

<sup>91</sup> Respondent 32.

<sup>92</sup> Respondent 32.

presence in all 27 parishes in the Dili Diocese within five years.<sup>93</sup> This appeared to be a response to pressure from the church to assist across a wider area. In July 2004 the RDP program was evaluated before any major changes were made. This evaluation revealed that although there had been achievements, the problems with existing groups' 'ownership' of and commitment to the sustainability of the projects remained, that farmer groups lacked organisational capacity, and there were communication problems within them, as well as between the groups and Caritas Dili. The report outlined a number of recommendations to address these difficulties (Caritas Dili 2004).

#### *The Women's and Social Assistance Programs*

The Women's Program and Social Assistance Programs operated on a very limited basis with local Caritas Dili funds in 2001 and indicated some continuity with the widows' support program operating prior to the emergency. The enhancement of the women's program which Caritas Dili had envisaged as part of a strategic planning process in 2002 took some time to be developed due to lack of funding. In 2002 some 15-25 women were trained in a range of largely domestic skills, but their ability to follow up at the parish level depended very much on the support of the local priest, which was often not forthcoming, apparently because the priests were busy. So Caritas tried again. It received funding for a new Women's Program in late April 2004 and by mid-year candidates from the parishes were being identified for training. Women were to be trained over one year to become trainers in a range of skills such as sewing, cooking, *tais* making, and handicraft making. The parishes were asked to identify women who had family in Dili who could accommodate them during their training, or whom the parish would support during the training period.<sup>94</sup>

The Social Assistance Program would be developed in future at the parish level. As a step towards this, an education program supported by UK-based Catholics for Overseas Development (CAFOD) aimed to strengthen basic parish capacities in areas of office administration, computer skills and the empowerment of people at parish level. Dili

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<sup>93</sup> Respondent 32.

<sup>94</sup> Respondent 31.

Diocese comprises 26 parishes. Caritas Dili began by working with just seven of them<sup>95</sup> providing training to parish volunteers in computer skills, secretariat management, small business, leadership, and training of trainers. They needed to obtain more computers to enable staff to practice their computer skills,<sup>96</sup> although a further problem was lack of electricity in some locations. The parish training program was evaluated in March-April 2004 and it appeared that parish priests and others at parish level were very grateful for the support (Caritas Diocesan Dili 2004).

#### **5.1.5 Changed approach in 2003**

Though Caritas Dili retained its vision to develop the people, achieve social justice and promote Christian life based on Catholic social teachings, there was a noticeable shift in its approach, particularly after 2003. In 2002 Caritas Dili went through an internal process of strategic planning which involved some discussion of devolving Caritas to the parish level through greater voluntary involvement of people in the parishes and more grass roots engagement.<sup>97</sup> This led to some reorganisation to further strengthen management, including creation of a new position of Secretary, which was filled in January 2003. The new management, and the growing link with the Caritas network in the Philippines, led to a quite noticeable change within Caritas Dili. This approach was not really signalled in the 2002 Strategic Plan, but came about subsequently. The new approach reflected the question which Caritas Dili was asking itself, ‘What does independence mean for Caritas Dili?’<sup>98</sup> It had moved from the emergency to a development phase, but with a particular perspective, which was to slowly develop the people to be more self-reliant, and to enable Caritas Dili itself to be more independent of donor funding. Senior staff were concerned that many projects only ran for two to three years, while what was needed was funding to ensure sustainability of programs, particularly at the parish level. They discussed with their Caritas partners the need to strengthen Caritas Dili institutionally, and strengthen the parishes to provide services in

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<sup>95</sup> The participating parishes were Dare, Aileu, Atabai, Ainaro, Maubisse, Balibo, and Liquica.

<sup>96</sup> A priest in Australia was endeavouring to find computers for them (respondent 30).

<sup>97</sup> Respondent 35.

<sup>98</sup> Respondent 30.

a sustainable way. Equally they wanted to encourage ordinary people to be more self-reliant—not to wait and depend on help coming from outside, or from the Government.<sup>99</sup>

The Director of Caritas Dili in 2004 clearly felt that these changes would only be achieved slowly. He thought that international people were in a hurry; many had no experience of the conflict and what people went through, and development would take time. As another senior staff member said, many factors had affected people: over 400 years of colonialism, including 24 years of Indonesian occupation, which affected people psychologically; people were not free to do what they wanted—they had to defend their right to one plate of food a day; though they were free, in the transition to independence, they lost everything, and did not know where to start, where to obtain materials or anything, they were starting from zero; the experience of the Indonesian period was one in which Indonesians did not activate people to work, instead they just enriched themselves, so people had no skills or experience; finally, in the emergency period, everything was given for free, and people were paid for their labour, so the previous Timorese ethic of voluntarism had been damaged.<sup>100</sup> Caritas Dili in 2004 wanted to restore the ethic of voluntarism, and had again disagreed with Caritas Australia, this time over payment of staff in Oecusse for emergency food distributions following the food emergency in early 2004, a program which Caritas Dili was implementing with Australian funds. Caritas Dili felt that volunteers should do the work.<sup>101</sup>

In the health area these changes in Caritas Dili could be seen most clearly. During the Indonesian period there was a vision to develop a parish-based network, but this was almost impossible because of the activities of the military and military intelligence, who monitored their every move. Caritas Dili started in 1997 to move towards this parish-based approach by building a link with Filipino partners of Caritas Norway. In that year Caritas Dili's doctor and his Norwegian adviser went to Manila to see the

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<sup>99</sup> Respondents 30, 35.

<sup>100</sup> Respondent 35.

<sup>101</sup> Respondent 20.

ways in which a Catholic organisation there was undertaking community health work. They brought back manuals and ideas but these could not be developed in the repressive environment of that time. Efforts to send another staff member to the Philippines in 1999 failed, with the military intercepting him at the airport (he eventually went in 2000 for three months of training). In the interim, the only outreach had been through catechists who were still able to travel, and were the only effective link outside Dili itself. Senior staff from the TB program were also able to move around, but always under the watchful eye of Indonesian intelligence. As long as Caritas kept the Ministry of Health informed of their activities, the relationship with Indonesian authorities remained cordial.<sup>102</sup>

In late 2004 the community health strategy was being put in place, with Caritas Dili trying to develop health volunteer networks attached to the Catholic clinics. Caritas Dili planned to support and nourish the network of volunteers, and cooperate with the parish-level clinics. It wanted to extend this approach to other aspects of its work, especially in the social development area. The model was directly based on the experience of the NGOs in the Philippines, where parish-based volunteers are involved in a variety of programs. Three senior Caritas Dili staff visited the Philippines in 2003 to learn from the experiences of the Social Action Centre of Pampanga (SACOP) in particular. This visit was facilitated by Caritas Norway.<sup>103</sup> SACOP had shifted from a focus on relief work, through a period of livelihood strategies, to its focus on ‘tapping the potentials of parishes to develop their own social action programs according to the needs of their parishioners and communities’ (SACOP 2004:2). The Diocesan Action Centres in the Philippines were the main partners of the National Secretariat for Social Action, Justice and Peace, of Caritas Philippines, whose major goal was ‘social transformation’. The Social Action Centres worked through Basic Ecclesiastical Communities (BEC) to empower the poor and marginalised ‘so that they could actively partake in the process of social transformation’ (SACOP 2004:2). This direction, which they referred to as a ‘paradigm shift’ began in earnest in 1998, and included ‘a change

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<sup>102</sup> Respondent 33.

<sup>103</sup> Respondent 33.

from supporting short-term projects to strategic programs that are BEC based' (NASSA 2004:2). The Philippines experience seemed very relevant to Timorese, since organisations there had to adjust to new conditions after the downfall of the Marcos dictatorship, in the same way that Timorese organisations were trying to adjust to the new conditions in their country.

Thus Caritas Dili's early focus on social assistance was being replaced with a goal of social development through a parish-based program. The objective was to encourage people to help themselves to develop, not to remain forever poor, nor to wait for help to come from outside. Caritas' efforts would be to encourage people to become more educated and to achieve development themselves so that they could live with dignity. At the same time they wanted to develop parish-based income generating projects, so that a percentage of their profits would enable Caritas Dili to maintain some limited social assistance projects. They also hoped to develop action research teams from the various Commissions of the Catholic Church at the national, diocesan, and parish levels, to investigate the causes of the problems that people faced, and develop possible responses.<sup>104</sup>

#### **5.1.6 Structure and relationships**

When Caritas Dili began (as Caritas East Timor) it was a foundation, but by late 2004 it saw itself as a local NGO. Since the change of name from Caritas East Timor to Caritas Dili it had no legal status under existing Indonesian foundation law. It had no Board, but reported directly to the Bishop and remained the responsibility of the Social Commission of the Diocese.<sup>105</sup> The period between July 2000 and July 2001 saw many staff changes, as five senior staff moved to other positions, two with UNDP, one to the government, and two to study. However, a Finance Manager was appointed in an effort to strengthen financial management across the organisation. Certainly Caritas Dili has grown since its early period, though it is hard to establish a clear picture of the

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<sup>104</sup> Respondents 30, 35.

<sup>105</sup> Respondent 35.

fluctuations in its staff size from September 1999 when it had around 30 staff, to 2004 when it returned to that level.<sup>106</sup> In 2000 it had some 46 staff and many volunteers. At the end of June 2004 Caritas Dili had five staff working in the RDP program, eleven in health (nine in the National TB program and two in HIV/AIDS), three in the Training/Education area and eleven in administration. However, the health program had additional staff in the districts.<sup>107</sup>

For some years, CAFOD had provided for all core costs of the secretariat, but commencing in 2003 Caritas Dili agreed to a new regime with its Catholic NGO partners, to set administration costs at ten per cent of the organisation's budget and share them across each program (Caritas Diocesna Dili 2003). Although not fully achieved, this meant a reduction in administrative staffing and some changes in staff conditions. This move was very much welcomed by the donor partners, who had been pressing for reduced administration costs. The Director in place in 2004<sup>108</sup> had worked at Caritas Dili since before the emergency but had taken up the Director's position in September 2000. He was slowly developing the organisation's management and capacities. By 2004 the organisation had a Vice Director, a Secretary, and coordinators for each of its major programs. Together with the Director, these formed a Committee of Management which, from February 2003, had met fortnightly. All major program decisions were taken by that group. They were trying to develop a sense of 'ownership' of the organisation, and a sense of staff commitment towards its values and goals. In particular, they wanted to develop in staff a sense of commitment to the value of providing service to the community. The organisation still needed significant capacity development, and it identified the need for this especially in the administrative area, in computing and in language development (English, Portuguese) as well as in social and rural development.<sup>109</sup> Partners pushed them to learn English, for example,<sup>110</sup> and in

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<sup>106</sup> In 2003 the Caritas Dili Annual Report says it had 15 staff (half its pre-1999 level), organised in three main departments. However data from the National TB program indicates that 34 staff in that program were paid by Caritas in 2003, even though they may not have been employed at Caritas' office.

<sup>107</sup> This staffing information is from Caritas Dili's noticeboard and respondents.

<sup>108</sup> This Director left unexpectedly in late 2004. His former Deputy, an experienced nun, was still the Acting Director in mid-2005.

<sup>109</sup> Respondent 35. Partner agencies also constantly stressed the need for Caritas Dili to strengthen its



particular program areas, such as health and rural development, partners played important roles in developing technical and management skills.<sup>111</sup> Caritas Dili has also had considerable help in the financial area since 2000, with a trainer working with them in 2004 to introduce the MYOB financial package to manage their accounts.<sup>112</sup> Caritas Dili discussed its capacity building needs with its Catholic partners, and emphasised to them the need for time and space to learn. Early efforts at capacity building, according to one source, involved staff trying to teach each other, and were not very effective.<sup>113</sup> More recent capacity building efforts seem to have drawn more on partners and models in Philippines and Indonesia.<sup>114</sup>

Caritas Dili had five consistent donors, all members of the Global Caritas Internationalis family. CAFOD (UK) funded Education and Training as well as the HIV/AIDS program; Caritas Norway funded the National TB Program; Caritas Australia and Caritas Aotearoa together funded the Rural Development Program, and Caritas Portugal, the Social Assistance Program. A new Fisheries Program, supported by Caritas Japan, was beginning in July-August 2004.<sup>115</sup> Most donor partners realised that Caritas Dili found it difficult to meet the much more stringent accountability requirements which partners had required since 1999.<sup>116</sup>

#### *Relations with other stakeholders*

Caritas Dili was very close to the resistance movement before the 1999 ballot, and there remained close personal links with members of the government, but Caritas had not been involved in formal advocacy roles at all.<sup>117</sup> Caritas Dili's Director said the organisation did not involve itself in politics as it was afraid Caritas would be perceived to be supporting a particular political party. Its main relationship with the

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capacity in many areas (e.g. respondents 19, 20, informants 97, 99).

<sup>110</sup> Respondent 30.

<sup>111</sup> Respondents 32, 33 and 34.

<sup>112</sup> Respondent 30.

<sup>113</sup> Respondent 27.

<sup>114</sup> Respondent 32, 33.

<sup>115</sup> Respondent 35.

<sup>116</sup> Respondents 19, 20. Informant 97, 99.

<sup>117</sup> Respondent 27.

Government was through its service delivery role with the National TB Program, through which it was influencing the Government's approach to this disease. It had a close relationship with the first Health Minister (a former Caritas East Timor doctor) and the Vice Minister of Health as well as the Director of the Health Department. One of the issues which had caused some uncertainty was the time the Government took to clarify what role it saw for Catholic health clinics in the newly independent country.

Caritas Dili's national partners outside the Government were ETADEP, from which it hired tractors, Klibut Alizados Cartilosa Timor Leste (KACTL) an NGO working with people with disabilities, and the East Timor NGO Forum, of which it was a member. It was also a member of HASATIL, the sustainable agriculture network, which was working in cooperation with the Ministry of Agriculture.<sup>118</sup> Caritas Dili also drew on expertise from international partner NGOs (CIIR and CRS) to conduct the evaluation of the RDP (Caritas East Timor 1999).

By late 2004 Caritas Dili was reflecting on what independence meant for it, and realising that its reliance on project-based outside funding meant that it was not independent as an organisation. It no longer received any financial support from the Dili Diocese, so felt very dependent on donor support. The leadership team was beginning a process designed to give the organisation autonomy and resources for future use at national, diocesan and parish levels. They recognised that this meant starting with themselves, so that by being stronger as a national institution they would be in a position to assist the diocesan and parish levels to achieve similar goals. Thus in 2004 Caritas Dili was in the process of purchasing land and generating its own socio-economic enterprises. The first venture was cow raising in the Loes valley. Caritas Dili planned to raise cows to provide jobs for people caring for them, and also to sell the cows and generate funds. Another proposed venture was to develop a pharmacy to supply medicines to Catholic clinics, and later, to develop grape-growing, on a profit-sharing basis with the landowners.<sup>119</sup>

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<sup>118</sup> Respondent 30.

<sup>119</sup> Respondent 35.

## 5.2 ETADEP (East Timor Agricultural Development Program)

ETADEP is a foundation which began operating in 1987. It comprised staff formerly employed in an agriculture and rural development program run by US NGO, Catholic Relief Services (CRS).<sup>120</sup> As explained in Chapter Three, CRS was one of only two international NGOs which had been allowed by the Indonesian Government to enter East Timor in 1979 during the severe famine which followed the Indonesian invasion of 1975. CRS had completed its emergency program by the end of 1981, and had been doing development work for a few years. However, the security situation and communication problems were making it difficult to work, so they decided to close their program but continue working in East Timor by forming a local NGO.<sup>121</sup>

### 5.2.1 ETADEP's early years

ETADEP's goal was rural development, especially agricultural development and water supply. At the outset there were just ten people who formed a board, three of whom formed a paid executive, while the rest were volunteers.<sup>122</sup> Early funding was obtained from USAID by CRS and the program was a continuation of the type of activity that staff of the newly-formed NGO had already been undertaking for five years in the Loes Valley, near Maubara in Timor's north-west. Initial work involved provision of tractors to farmers to extend rice production.<sup>123</sup> Many rice fields were abandoned in the conflict of 1975, and rice fields had been damaged by a tall weed (*saccarum spontaneum* grass) which farmers could not remove by their usual methods—using manual tools then grazing cattle and buffalo. The tractors enabled farmers to cultivate these fields which had been abandoned, and hence increase rice production.<sup>124</sup> The

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<sup>120</sup> Respondent 38 and Profil Fundacao ETADEP (brochure).

<sup>121</sup> Respondent 38, 42.

<sup>122</sup> Respondent 38.

<sup>123</sup> Respondent 43.

<sup>124</sup> Proposal: Basic Needs Empowerment Program for Farmer Community Yayasan Ema Mata Dalam Ba Progressu (ETADEP) (n.d.).

work soon expanded to areas around Loes Valley, such as Sare (Ermera), Siamando (Maubara), Bilimau (Cailaco) and Atabae. The main activities were wet and dryland agriculture, distribution of livestock (cattle and water buffalo), vegetable growing for women, agricultural training, and building drinking water facilities. There were soon some 81 groups in Raimate area (in the Loes Valley) alone, involving over 800 farmers.<sup>125</sup> Gradually the program spread to other areas of East Timor, so that in the Indonesian period ETADep worked with around 100 farmer groups across the country, supporting agriculture, water supply and small business development, including credit provision. ETADep gave the groups a great deal of support and training, as well as seeds and tools, and made equipment available through credit.<sup>126</sup>

The supply of tractors and other agricultural machinery was a significant part of ETADep's program. The large tractors were available for hire, while smaller equipment, such as hand tractors, paddy threshers, and rice mills, as well as livestock such as cattle and buffalo, could be purchased through the credit programs. ETADep had 26 tractors in the early years, a legacy from CRS, although by 1991, only four remained in good condition, so the remaining 22 were sold. In 1993 USAID provided four new tractors, bringing the total number of tractors owned by ETADep to eight. One of the problems which ETADep has always faced has been the high cost of maintaining these tractors and the difficulty and cost of getting spare parts from Jakarta.<sup>127</sup>

### **5.2.2 Expansion and new roles**

During the 1990s ETADep started to expand its roles and its impact in several ways. These included in information provision, developing credit unions, and extending Integrated Development Programs into new areas. After the Pope's visit, and the slight opening of East Timor in 1989, ETADep became a contact point for people visiting

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<sup>125</sup> Respondent 43.

<sup>126</sup> Respondent 38.

<sup>127</sup> Respondent 43.

from abroad. Visitors such as ambassadors, embassy staff, and others from Jakarta, would all come to ETADep for information or ask for news by phone. This information role was additional to their core work of agricultural development. However, their ability to travel around East Timor doing agricultural work enabled them to quietly obtain a lot of information which outsiders wanted about what was happening in East Timor.<sup>128</sup> In 1990, ETADep joined with the Credit Union Cooperative Organisation (CUCO) in Jakarta to develop a credit union program in East Timor. This initiative was supported by Konrad Adenauer Stiftung (KAS), a German Foundation. The idea was to encourage farmers to save through a credit union and build up capital, so that they could borrow from this source, rather than be dependent on local money lenders charging exorbitant interest rates. This cooperation led to 22 primary credit unions being established across East Timor, with a considerable capital base of millions of rupiah. A few years later, in 1997, ETADep helped establish a new organisation to support and network all the credit unions, Poskopit (Cooperative) Hanai Malu, which later became an independent national credit union organisation.<sup>129</sup>

From 1992 to 1998 ETADep also gained support from KAS to extend into new areas with an Integrated Development Program in Manututo (Laclo, Laclia and Laclubar) and Natarbora, although with less significant results. Natarbora was selected because around 1996 the Indonesian Government had a plan to develop a sugarcane plantation and forestry operation there. ETADep realised that this would mean farmers would lose their land, so they went to the area and informed the farmers about the proposal. At the same time, they offered their own program to help improve the conditions in the area, including provision of four tractors, and assistance with water supply, agriculture and agroforestry. Apparently, as a result, when East Timor's Governor, Abilio Soares, went to the areas to discuss the project the people did not attend meetings to hear what he had to say and he was very angry, but the Indonesian project did not proceed. However, ETADep's work was difficult at that time because the security situation was very repressive. Community participation was not strong as the project area was

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<sup>128</sup> Respondent 38.

<sup>129</sup> Respondent 38 and Proposal: Basic Needs Empowerment Program for Farmer Community Yayasan Ema Mata Dalan Ba Progressu (ETADep) (n.d.) p.2.

closely monitored by a nearby Indonesian military post and it was very difficult to have a community meeting. As a result, community maintenance of the facilities and equipment was also poor.<sup>130</sup> This situation changed after 1999, and by 2004 ETADEP had 15 groups in three locations in Natarbora, including a women's group focussing on vegetable growing, and one mixed group of men and women.<sup>131</sup>

By the mid-late 1990s ETADEP had grown to a staff of around 30 persons, sometimes as many as 40, with four major programs managed and organised according to donor projects. These projects were:

- 1) a CIDA program of agriculture and block fund for farmers' groups: since its inception in 1989 that program supported around 15-20 group projects per year; this fund supported groups anywhere in East Timor, according to need. The block fund was a part of CIDA's bilateral aid program to Indonesia;
- 2) Oxfam projects of agriculture and training in the rural areas;
- 3) AusAID water supply: ETADEP was one of the local NGO partners of the AusAID Water and Sanitation project in Bobanaro; ETADEP was active in Cailaco, a sub-district of Maliana; and
- 4) field projects funded by KAS, especially in Natarbora and the Loes Valley.<sup>132</sup>

During Indonesian rule the staff were able to develop their technical skills through participation in training in other parts of Indonesia, in Kupang, Jakarta and Irian Jaya (the latter in relation to water supply), and through links with Indonesian NGOs such as Bina Swadaya, which also worked in East Timor.<sup>133</sup>

### **5.2.3 1990s: the environment worsens**

Throughout the 1990s ETADEP's work was conducted in the difficult security environment prevalent in East Timor. Although staff had a working relationship with government departments relevant to their areas of work, especially the Agriculture

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<sup>130</sup> Respondent 43.

<sup>131</sup> Respondent 41.

<sup>132</sup> Respondents 38, 40.

<sup>133</sup> Respondent 38.

Department, whenever they went out to the rural areas they feared meeting the military and being harassed and intimidated. In 1992, after the arrest of Xanana Gusmao, the Director of ETADep was arrested and imprisoned for four and a half months. He is married to (then military commander) Xanana Gusmao's sister, and the close family relationship made the Indonesian military suspicious of him. Though the military never tried to close ETADep down, they certainly tried to control its activities. Indonesian military would be posted near the office and staff members' homes, and they were conscious of being constantly under surveillance.<sup>134</sup>

Some staff were clearly pro-independence. Their choice to join an NGO reflected the fact that they did not want to work for the Indonesian Government, and they wanted to help the people. Some had been students in Indonesia where they had been active in the clandestine movement. Working with ETADep enabled them to act as a bridge between the people in the rural areas, Dili, and the outside world. News about pro-independence activity in Dili or outside of East Timor boosted rural peoples' morale. Information about human rights issues in rural areas could also be gathered and brought back to Dili. ETADep staff who were pro-independence (not all were) gave significant support to FALINTIL, such as food, money and information. ETADep's facilities enabled them to act as a communication channel between the resistance inside East Timor and Xanana Gusmao when he was imprisoned in Jakarta. As one staff member explained, this activity was not done in the name of ETADep, but ETADep's role in rural development clearly provided an opportunity for individual staff to pursue their political objectives.<sup>135</sup>

By 1997 ETADep had expanded to two Dili offices, the old one (its location during this study) and a new one which became the main office. ETADep had established the new building with assistance from USAID, and rented the top floor to Yayasan HAK and FOKUPERS. ETADep also had field offices in Natarbora (Manututo) and Raimate (Ermera), the latter acting as a base camp for the equipment since the early

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<sup>134</sup> Respondents 38 and 43.

<sup>135</sup> Respondent 38,40

CRS period.<sup>136</sup> As the situation worsened in 1998-99, access to the Loes Valley became very difficult. In 1998 and 1999 many guerrillas concentrated in that area and people from Maubara and Liquica fled there. FALINTIL had themselves planted rice in this area, and were probably also supported by the local population to the extent of their capacity—hence the military sensitivity about it. ETADep was fortunate to have an Indonesian staff member who was able to negotiate access with the Indonesian military and undertake visits there.<sup>137</sup>

However, by June 1999 it was impossible to continue normal programs, so ETADep joined with friends at Yayasan HAK in the newly formed network ‘POSKO’ to provide emergency assistance to refugees in the Maubara area. On one occasion, returning through Liquica, their convoy was attacked by militia and one of the ETADep drivers was badly injured. Five years’ later his eyes remained damaged.

#### **5.2.4 After the violence: beyond an emergency response in the UNTAET period**

After the September 1999 violence ETADep staff regrouped in November and December. Some had fled to Dare in the hills behind Dili, others to Indonesia, but they came together and decided to reestablish the organisation. They did so with support from USAID, CIDA, AusAID, CARE and Oxfam. AusAID’s Team leader helped to reorganise the local NGOs. USAID provided basic transport (two motor bikes) and office equipment, including a computer, and others provided funding. The large new office had been burned down, and the UN did not want to give them use of the old office building, which was still intact. However, one UN staff member knew it had been theirs, and he supported them to reestablish there. Meanwhile, the land on which the new, larger office had been built was taken over by an investor from China, who built a hotel on the site, and began paying monthly rent to ETADep. Two tractors had survived the destruction, and these were put to immediate use. January is the planting month, so this enabled some rice to be planted straight away. At that stage, in the

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<sup>136</sup> Respondent 38

<sup>137</sup> Respondent 43.



emergency period, ETADEP provided everything to farmers for free as they had plenty of donor money. With help from CIDA Jakarta, they were also able to access some CIDA funds which had been deposited in their Indonesian bank account before the emergency. They used this to provide credit to rural groups, as well as machines for rice husking, animals, fishing equipment, and support to start small businesses.<sup>138</sup>

In 2000 ETADEP again received support from CRS for three years (2000-2002), to respond to the emergency and rebuild their agriculture and livestock program. Once again they built up to about 30-35 staff, and soon had a program with a number of donors, including CIDA and CARE. The CIDA program was one of the largest. From 2000-2004 ETADEP had an agreement with CIDA to provide C\$120,000 a year for an Integrated Agriculture Program restricted to just four areas (no longer across the whole country). These were Manututo (Natarbora), Ermera, Bobanaro (Cailaco Sub-District) and Maubara (Loes Valley).<sup>139</sup> Instituto Marques Vale Flor (IMVF) and Oxfam also provided funds to support the Loes Valley program.<sup>140</sup> In addition the Oxfam project was supporting a range of small scale activities near Dili, which particularly encouraged the involvement of women in agriculture and agroforestry.<sup>141</sup>

One CRS staff member who had not been involved in the Loes Valley program since 1991 returned there in 2001 and saw considerable progress. Clearly agricultural output had increased, many more people were educated, houses had better roofs, and people were no longer hungry. Agroforestry work undertaken between 1982 and 1990 was paying off, in that people now had access to a variety of fruit. Overall, according to this staff member, the improved agricultural production appeared to have improved social conditions considerably.<sup>142</sup> The situation in Natarbora had also changed dramatically. In the Indonesian period, it was hard for people to cultivate their land in the hills because the military suspected them of making contact with FALINTIL. They were

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<sup>138</sup> Respondent 38

<sup>139</sup> Respondents 44 and 5.

<sup>140</sup> Proposal: Basic Needs Empowerment Program for Farmer Community Yayasan Ema Mata Dalam Ba Progressu (ETADEP) (n.d.).p.2.

<sup>141</sup> Respondent 39.

<sup>142</sup> Respondent 43.

only able to grow things on small areas of land around their houses. In the new environment they could plant many more hectares and produce a lot more. The new problem was one of marketing, and for many farmers there were difficulties in setting a price, so prices varied dramatically across the country.<sup>143</sup>

*ETADEP's concerns about other post-conflict players*

During the UNTAET period, ETADEP had little success influencing the UN or the World Bank. It seemed to them that these organisations were 'all talk and little action', particularly when it came to provision of health services in rural areas. They were concerned as well about the Community Empowerment Program (CEP),<sup>144</sup> especially the credit component. The CEP gave loans but provided no support to people about how to manage their loans or their projects.<sup>145</sup> Similarly they were critical of the UN Shelter program which only provided roofing materials. ETADEP staff wondered where people were supposed to get nails, wood, stone and sand to complete the house.<sup>146</sup>

ETADEP also discovered that the Chinese Government had given three or four tractors to each district as part of the emergency response, but people did not know how to look after them. ETADEP felt they could not say anything to the political leaders, ('we are only small people') but already the tractors had broken down.<sup>147</sup> ETADEP felt that had all the tractors been located at Natarbora, or some at Uatulari (Viqueque District), they could have been properly maintained and boosted rice production for the whole of East Timor, as these are major rice growing areas. Another disappointment concerned an irrigation system in Hatolia which was rebuilt in 2000-2001 by the UNTAET

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<sup>143</sup> Respondent 41.

<sup>144</sup> The CEP was an emergency program of the World Bank which established local development structures, provided grants for community projects and credit for individual business activities. It has now ceased operation.

<sup>145</sup> Respondent 38. In one case, a water supply project in Maubara, the loan was supposed to be for pipe to provide clean water, but the project was unfinished, so people had to get pipe from elsewhere to complete the work.

<sup>146</sup> Respondent 38.

<sup>147</sup> Respondent 68, who was not from ETADEP, also raised this issue about the unsustainability of the program to bring Chinese tractors to East Timor.

Agriculture Division and which the population worked hard to finish in January 2002. Shortly afterwards it was damaged by a flood and was no longer functioning. ETADEP believes this was because there were so many foreigners involved in the construction who did not listen to the local population. ETADEP raised this problem with many areas of government, among them the Secretary of State and the Minister for Infrastructure, the Minister of Agriculture, the President and the Prime Minister. Nothing changed, and this had a very negative impact on the population. The people wanted to protest to the Government about it.<sup>148</sup>

### **5.2.5 Changes since independence**

Since independence there had been enormous change. There were now many NGOs, often without donor support, although quite a few were still operating in 2004. ETADEP had generally good relations with other local NGOs, but most of them had limited organisational and program capacity. ETADEP was an active member of HASATIL, the network for sustainable agriculture, which was working with them to build capacity. This network was providing training in agriculture and advocating about sustainable agriculture. About 20 or more NGOs were members of HASATIL, about five of them international NGOs, the rest local organisations. HASATIL was meeting monthly and had organised two major exhibitions about sustainable agriculture in Dili in August 2002 and 2003. It was promoting local, organically grown produce, and trying to encourage investment in local agriculture.<sup>149</sup>

Certainly in the post-ballot period ETADEP had access to a lot more ideas and knowledge than previously to link with their considerable experience. Such opportunities were simply not available before: HASATIL had facilitated short study visits to Indonesia; CIDA had contributed a range of experts and trainers; Oxfam arranged a study tour to the Philippines; the World Bank sent ETADEP staff to Mozambique and some had also been to Costa Rica. In late 2004 two new donors

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<sup>148</sup> Respondent 43.

<sup>149</sup> Respondent 68.

provided international training opportunities—in rural development (in Japan and funded by Japan International Cooperation Agency [JICA] and capacity building (in Hong Kong, funded by Oxfam Hong Kong).<sup>150</sup> These tours and training opportunities enabled staff to significantly improve their knowledge, which was bringing impressive results. For example, ETADEP staff said that Raimate, which used to produce about 1.5 tons per hectare of rice annually, had doubled that amount. They were starting to focus less on quantity and more on the quality of the agricultural produce. Still, East Timor consumed almost twice as much rice as it produced, and an annual shortfall of 30 tons of rice remained in 2004; thus it remained important to increase the quantity produced.<sup>151</sup> ETADEP had also accessed training within East Timor, for example on financial management, organisational management, gender issues (the latter provided by FOKUPERS), and alternative health (facilitated by SAHE).<sup>152</sup>

Relationships between ETADEP and the communities changed too. In the past it was often difficult for ETADEP to work with the farmer groups for security reasons. In such situations they would work through a priest, who would form the group under the church's umbrella. ETADEP would then provide the priest with a hand tractor, other equipment or animals for the group, and he would in turn report back on the group's achievements to ETADEP. ETADEP could now work directly with the farmer groups and communities without fear, in a bottom-up approach, compared to the top-down technical assistance approach of the Indonesian period. ETADEP could work more effectively with communities to better identify the problems and needs.<sup>153</sup>

Relationships with the Government had also clearly changed. ETADEP formed a collaborative partnership with the Government. In particular it was working with the Ministry of Agriculture, which had an Integrated Rural Program to support communities in the villages. ETADEP undertook field surveys and made proposals to the Government, which it could then incorporate into its own program. There was some

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<sup>150</sup> Respondent 43 and 40.

<sup>151</sup> Respondent 41.

<sup>152</sup> Respondent 40, 38, 39 and Fundacao ETADEP 2003, pp.10-11.

<sup>153</sup> Respondent 44

good collaboration.<sup>154</sup> For example, ETADEP was developing an agroforestry project in Ailloc Village in Christo Rei Sub-District of Dili, as part of a reforestation plan supported by the Ministry of Agriculture's Agricultural Rehabilitation Program of Natural Resource Management.<sup>155</sup> ETADEP was also particularly involved (along with Halarae) with a Government Field Farm School in Aileu, where two of its staff trained to be trainers in Integrated Pest Management (IPM). ETADEP supported four groups in Aileu, specialising in cabbage growing who were trialling this IPM approach as part of the Field School's program. This Farmer Field School was supported by the Victorian State Government (Australia).<sup>156</sup> In 2003 one ETADEP staff member was also involved with a government study of cooperatives in Sumatra.<sup>157</sup> Every month there were coordination and information sharing meetings with the Government (with the Vice Minister for Agriculture) for all organisations working in Agriculture, which ETADEP attended. By late 2004 the Government had not determined its agricultural policy and ETADEP was unclear about what the World Bank approach entailed, but it appeared that the Government-NGO coordination mechanism may, in time, address some of these issues.<sup>158</sup> Earlier, in 2002-2003, ETADEP also worked with the government Water and Sanitation Service and the AusAID bilateral Community Water Supply and Sanitation Project (CWSSP) to help provide clean water and sanitation to communities in five areas where they were working. This involved rehabilitation of drinking water and sanitation facilities, well drilling, and/or community training.<sup>159</sup>

#### **5.2.6 ETADEP in 2004-05**

In late 2004 and early 2005 ETADEP retained its original focus on agriculture and rural development, including water supply and credit provision. It had to reduce the geographical scope of its work, but strengthened its effectiveness and was able to take advantage of the opportunities offered by the changed environment, both in terms of its

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<sup>154</sup> Respondent 38 and 44

<sup>155</sup> Respondent 43

<sup>156</sup> Information obtained during my visit to the Project 9 July 2004.

<sup>157</sup> Respondent 41.

<sup>158</sup> Respondents 89, and 42.

<sup>159</sup> Respondents 4, 40 and Fundacao ETADEP 2003, p.10.

way of working with communities and its own professional skills development.<sup>160</sup> In terms of its internal management, ETADEP had 23 staff.<sup>161</sup> Its board, some of whom were now living in Indonesia, was not really functioning,<sup>162</sup> but it had a monthly meeting of its Director and program coordinators, and all staff met annually to review the programs. It had barely changed from its pre-1999 structure, with four program coordinators responsible for the following programs:

- 1) Oxfam Program and Secretary of ETADEP: the Oxfam program was the reforestation program in Dili; this program, which ETADEP was also trialling in other highland villages, involved contour terracing, planting nitrogen-fixing and animal fodder trees, polyculture and, in some areas, coffee and vanilla plantings. The goal was to stop soil erosion and depletion, rebuild the soil's fertility, conserve water, and increase food production to improve nutrition.
- 2) Natarbora Program, previously supported by CRS, now with ETADEP's own funds; and
- 3) CIDA Program in the Loes Valley: the Natarbora and Loes Valley programs involved support for dryland and wetland agriculture, through making tractors and cattle available for land preparation, and piloting a 'renca' system of land preparation ('renca' is a system of land preparation for wet rice cultivation using buffalo). In Ermera, this also involved agroforestry, and in the highland areas, distribution of goats and pigs. ETADEP owned some eight tractors and a milling machine which were available for these programs;
- 4) CIDA Credit program: this provided credit for around 30 farming groups per year to purchase agricultural tools and machinery which would boost their income (e.g. hand tractors, grain grinders, threshing machines). This was a revolving credit fund, which provided no-interest loans, and distributed credit mainly, but not exclusively, in the areas where the other programs were operating.<sup>163</sup>

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<sup>160</sup> Respondent 40.

<sup>161</sup> Activity Report of ETADEP for the Year 2003, Fundacao ETADEP p.12.

<sup>162</sup> Respondent 39.

<sup>163</sup> Respondent 38 and Activity Report of ETADEP for the Year 2003, Fundacao ETADEP.

ETADEP provided a range of training to its farmer groups on issues such as group management, bookkeeping, agricultural techniques, making and using organic fertilizers and pesticides, organic agriculture and agroforestry systems, making cooking stoves, environmental issues, and gender. They also facilitated ‘comparative study’ visits for farmer groups to help them learn from each other and solve their own problems. These have included a study visit to learn about farming in West Timor (Fundacao ETADEP 2003). From August 2003 to August 2004 ETADEP also had a Filipina-Canadian ‘Cooperant’,<sup>164</sup> who helped with the agricultural activities, provided training to farmer groups especially in plant breeding and seed multiplication, and taught English to ETADEP staff. She also worked particularly with the women’s groups. Five of ETADEP’s farmer groups were women’s groups whose activities focussed on horticulture and literacy.<sup>165</sup>

The major challenge ETADEP faced was sustainability and reduced dependence at several levels. In the pre-independence years, donors always supported ETADEP and the NGO was never without funding. In addition, CRS helped them considerably with project design, while ETADEP focussed on program implementation. Since independence, donor demands had increased, especially with the new results-based management approaches and use of log frames, so that although ETADEP’s finance and administration was well managed, it was hard to meet all the new requirements and, at the same time, to be less reliant on its former sponsors. In terms of financial sustainability, ETADEP was self-funding 20-25 per cent of its work in 2004. But it found that since independence, donors had decreased their funding, and the NGO was not sure whether CIDA funding would continue for them in 2005.<sup>166</sup> Though it was developing links with some new donors (e.g. Misereor, a German NGO) a sharp reduction in funds could cause ETADEP some serious difficulties in the future. At another level, ETADEP was challenged to achieve greater sustainability in its agricultural approaches. This meant that staff were starting to question the continued

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<sup>164</sup> A ‘cooperant’ is a volunteer development worker.

<sup>165</sup> Respondent 39.

<sup>166</sup> Respondent 38 and 43.

use of tractors, and shifting towards encouraging farmers to use cattle and learn to make their own agricultural implements, including ploughs. This was because they believed that this would be more sustainable for farmers in the long term. Their goal was to enhance people's capacity in sustainable agriculture, so that they would not be dependent on hand-outs. They felt they needed to break a dependency mentality that the earlier Indonesian period fostered, and which was reinforced during the emergency. They also needed to strengthen the farmer groups' capacities for self-management.<sup>167</sup>

Finally there were challenges facing ETADEP and its farmer groups which were outside their control. One big problem was the poor state of the roads, especially in the rural areas. ETADEP believed that the Government needed to give priority to fixing these roads. In addition, donors have helped restore irrigation systems, but much of this help has been short-term, and the systems have broken again, because there was no planning about how they would be maintained. This also needed attention.<sup>168</sup>

### **5.3 Conclusion: the capacities of Caritas Dili and ETADEP**

Caritas Dili's vision of assisting Timor-Leste's poor remained, but its strategy to do that changed from a combination of welfare-type activities and development programs constrained by the repressive circumstances, to ideals of social transformation, self-reliance and empowerment. This was a considerable shift in outlook over the five-year period, and was particularly marked after 2003. This occurred largely through network linkages facilitated by its partner, Caritas Norway, to a Catholic Church agency in the Philippines whose circumstances it could relate to, as they had earlier experienced a transformation from militarised dictatorship to democracy. The organisation struggled to find and keep capable senior program staff, and its management systems have been weak as it tried to cope with the changes in paid and voluntary personnel and the increasing demands of its funding partners from the Caritas Internationalis network, who viewed its administration as too inefficient and costly in relation to the programs.

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<sup>167</sup> Respondents 39 and 42.

<sup>168</sup> Respondents 38, 40 and 43.



However, it restructured and tried to address these problems. It was able to mobilise external resources from international Caritas partner NGOs, but its funding from the Church had dropped since the emergency. Concerned about its dependence on international donor funding, Caritas Dili began to develop ideas about how to become more financially self-reliant, although these ideas would take some time to mature.

Its skills in external relations were put to the test during the period immediately following the emergency, when there were tensions with its international partners and UN agencies, particularly over food distributions. Nevertheless, it restored and extended relations within the Caritas Internationalis network, despite its difficulties in managing the requirements of some of the Catholic international NGO donors in the new environment. As a church agency Caritas Dili kept a distance from the new Government in some respects, notably avoiding open advocacy, yet assisted it considerably through operating and developing the national TB program for five years, in partnership with a number of international organisations.

The organisation found that the changed context assisted its ability to achieve outcomes, but the staff struggled with the new challenges of managing and supporting community groups (such as farmers' groups) and working with the parishes. They needed new community development and facilitation skills, as well as higher levels of skill in reporting and managing donor-partner relations. In the health area, the combination of sensitively provided external support and expertise and local knowledge, seems to have led to higher levels of program success.

In terms of its commitment to help people grow sufficient food to meet their needs, ETADEP's overall vision did not change, although it became much more aware about sustainable and organic approaches to agriculture than it was in the Indonesian period. It gained these ideas from networking through HASATIL, international NGO linkages and through its relations with other Indonesian and Timorese NGOs. Interestingly, in the period immediately following the emergency ETADEP was quick to assist people to restore agricultural production as fast as possible. It has had a very stable team of

people in key roles who were broadening and strengthening their skills, despite losing some staff after the emergency;<sup>169</sup> it had a very straightforward program and management structure and well-established management systems which have served it adequately for many years. These features have changed very little, although it has easier facility for electronic communication than before the 1999 emergency. ETADEP found that mobilising financial resources became more difficult towards the end of the study period, when it seemed that a long-standing relationship with a major donor (CIDA) might not continue as that donor withdrew its key program decision-makers to Jakarta. However, ETADEP had started to build new donor relationships and had the capacity to mobilise some funds itself through rentals.

In the period before the emergency ETADEP's skills were in maintaining sufficiently good relations with the Agriculture Department to keep the Indonesian military from frustrating or preventing its operation. In the UNTAET period it had little engagement with the other post-conflict players and was critical of the unsustainability of much of the aid provided, especially for agriculture, water supply and irrigation. However, it felt unable to change that situation. Later, ETADEP seemed relatively confident in its relations with the new Government's Department of Agriculture, and was working collaboratively with them on a small number of projects. It was also able to work directly with farmer groups, rather than through individuals.

There is evidence from before the emergency that even in that difficult environment, ETADEP had a capacity to achieve outcomes. Much of that capacity was retained, although ETADEP began to question the sustainability of some of its approaches in the new context, in terms of both environmental and financial sustainability. ETADEP also played a key role in spawning other NGOs in Timor-Leste (e.g. HAK, Halarae),<sup>170</sup> but Timor-Leste has lost the valuable national credit program and organisation which it nurtured in the 1990s.<sup>171</sup> Interestingly, neither a 'tabula rasa' nor a 'return to normal'

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<sup>169</sup> Timorese staff interviewed for this study had been at ETADEP between five and seventeen years.

<sup>170</sup> See Case study of HAK and Respondent 67.

<sup>171</sup> Other credit programs have now been established, although it is not clear to me whether their scope is equivalent to this earlier program, which provided banking services through credit unions for farmers.

approach to development was adequate in the case of Timorese agriculture, and in ETADep's role. The new situation required a new response, but there were existing capacities to build on.

## CHAPTER SIX

### HAK ASSOCIATION (PERKUMPULAN HAK)<sup>172</sup>

The HAK Association began as a legal aid office in Dili in August 1996. It was started by a group of activists who had studied at university in Indonesia during 1990, one of whom had studied law.<sup>173</sup> In Indonesia they were involved in the clandestine movement, and came into close contact with human rights organisations there. In 1991 the Santa Cruz massacre occurred in Dili, and they became aware that the international human rights community was interested in East Timor, yet there was no East Timorese human rights organisation. They could also see some changes in Indonesia; it had established its own Human Rights Commission (Komnas Ham), and they felt that with strong enough international pressure change would come, although nothing was changing in East Timor itself at that time. They believed that what was needed was an institution which could bring some pressure to bear, help reduce violations in East Timor, and open a little space for activists to start to speak, and start to shift the struggle.<sup>174</sup> The Institute for Policy Research and Advocacy (ELSAM), an Indonesian human rights NGO which provided legal assistance to those students arrested following the Santa Cruz massacre, encouraged this group to set up a human rights organisation in Dili. Over time, two of them returned to East Timor and began working at ETADep on agriculture projects. Out of hours, they worked on human rights. Working voluntarily at first, this small group of former students began to provide legal aid to assist political prisoners detained because of their struggle for independence.<sup>175</sup>

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<sup>172</sup> Yayasan HAK: In Indonesian, Hukum = Law, HAK Asasi = Basic Rights, Keadilan = Justice. The organisation changed its name and status from Yayasan HAK (HAK Foundation) to Perkumpulan HAK (HAK Association) during the study period. It will generally be referred to simply as HAK.

<sup>173</sup> Respondent 56 and HAK Brochure.

<sup>174</sup> Respondent 55.

<sup>175</sup> Respondents 55 and 56. Respondent 102 indicated that although this had not been publicly acknowledged until after 1999, all had been involved in RENETIL.

Their desire to establish an organisation was realised in 1996 when they opened a small legal aid office, employing the lawyer, with other members of the group working as volunteers. Human rights activists in Indonesia and Indonesian legal aid and human rights NGOs supported, guided and provided funds for them. The initial idea was simply to provide legal aid. The organisation soon found that its services were greatly appreciated by political prisoners and others experiencing human rights violations. They found that Timorese people wanted to keep struggling, but needed space within which they could become even braver. People really appreciated that a Timorese organisation had been formed, and whereas before they had often taken their concerns to the Bishop, they soon began bringing them straight to HAK.<sup>176</sup> One of the biggest caseloads related to conflicts over land arising from the forced movements of people during the Indonesian occupation.<sup>177</sup>

In March 1997, the legal aid office became the ‘Law, Basic Rights and Justice Foundation’ and started to build its staff team.<sup>178</sup> Altogether there were five staff, all of whom had been students in Indonesia. Two remain with HAK.<sup>179</sup> The organisation was soon ‘inundated’ with people, and their problems.<sup>180</sup> The first official donor to HAK was the Australian Government, which provided funds to run the organisation for one year, while they set up a management and financial system. HAK itself did not want to take on too much at first to ensure they had capacity; to demonstrate that they had the management and accountability systems which donors required. Their experience at ETADEP had made them very aware of what was needed.<sup>181</sup>

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<sup>176</sup> Respondents 55 and 56.

<sup>177</sup> Respondent 94.

<sup>178</sup> The initial Director later became the President of the Truth, Reception and Reconciliation Commission (CAVR), but remains as a board member of HAK.

<sup>179</sup> The other three are now respectively a District Judge, an MP, and a staff member in another NGO (respondent 56).

<sup>180</sup> Respondent 94.

<sup>181</sup> Respondent 56.

## **6.1 HAK in the late 1990s: its early roles**

In the early years the Foundation had two main roles: prisoner legal aid and monitoring and campaigning on human rights. Their focus was on the political prisoners and the serious human rights violations which were being perpetrated by the Indonesian military (TNI) and the police. Their main activities in this context were advocacy and litigation (Marut and Meijer 2003:7).

As well as conducting legal aid activities for political prisoners, they documented human rights abuses and conveyed their findings to human rights organisations outside the country, especially Amnesty International (London) and Human Rights Watch (New York). Initially, as it was difficult to get information out, they sent it via the Indonesian human rights groups. Later, when encrypted emails were available they utilised this technology and also sent information directly to the international organisations. A former Amnesty International (AI) staff member said that their links with HAK were very useful, the information provided was very accurate and up-to-date and their effectiveness was very evident to an AI delegation which visited East Timor in May 1999.<sup>182</sup>

To monitor and document human rights abuses HAK's staff had a considerable network of contacts in each of East Timor's thirteen districts, through church, CNRT, student and youth channels. Their experience with ETADep meant that they had been able to quickly form this network across East Timor, while their student experiences enabled them to network within Indonesian groups. From time to time they had national meetings to share information. Shortly before the September 1999 crisis they were on the verge of setting up internet links across East Timor to facilitate communication with this network, with support from US NGO, The Asia Foundation (TAF).<sup>183</sup> They also worked closely with Bishop Belo, who sometimes promoted joint campaigns with them on specific issues. For example, in 1998 there was a rape case in

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<sup>182</sup> Respondent 102.

<sup>183</sup> Respondent 55.

Ermera which HAK and the church investigated. The report was sent to friends in Jakarta, who protested outside Komnas Ham (Human Rights Commission) and the Indonesian Parliament. In addition to the monitoring and case work, they conducted grass roots human rights education work, encouraging people to stand up for their rights under Indonesian law.<sup>184</sup>

The HAK team had to operate in an extremely intimidatory environment. To give themselves space to work, the Director constantly emphasised to Indonesian authorities that they were ensuring Indonesian law worked well, arguing that by strengthening Indonesian law, integration would work better, and the international community would not be able to attack Indonesia. HAK's Director developed a good working relationship with the Head of Kodim<sup>185</sup> who accepted this approach and would order the release of HAK staff detained by more junior officers or stop harassment and threats they were experiencing. Both civil and military leadership in Dili thus accepted HAK's role and its upholding of Indonesian law. HAK strengthened its freedom to operate by condemning violations of human rights against police or military as well as those perpetrated by them.<sup>186</sup> Yet it seems that HAK was clearly classified, at least by the police, as a pro-independence organisation.<sup>187</sup>

During the early period they had a small office in Balide, but in 1998 they moved to a new building (destroyed in the 1999 violence) with other NGOs, including ETADep and FOKUPERS. They had already grown rapidly, and had around 25 people working with them, around 17 of whom were paid staff, the rest volunteers, including friends from Jakarta. They had only two East Timorese lawyers, so their legal team was boosted by three lawyers from Kupang (West Timor). They also had the support of some Indonesian lawyers as mentors, and to help with special problems or cases; they came from the NGO, Legal Aid Institute (LBH) in Yogyakarta and Jakarta. Friends in Indonesia had helped them find donors, and they were receiving support from three

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<sup>184</sup> Respondent 56.

<sup>185</sup> Kodim stands for Komando Distrik Militer - District Military Command.

<sup>186</sup> Respondent 55.

<sup>187</sup> Respondent 59 recalls that on a whiteboard at the Dili Police Station, when HAK staff were arrested, was a list of pro- and anti-independence organisations. HAK was listed as pro-Independence.

international NGOs: HIVOS (Netherlands), Community Aid Abroad (CAA, Australia), through an office in Kupang; and from The Asia Foundation (TAF).<sup>188</sup> Part of CAA's support was the placement of an experienced NGO worker from Indonesia in East Timor to work with the local NGOs it was supporting. She worked closely with both HAK and FOKUPERS.<sup>189</sup>

## **6.2 HAK in 1999**

In January 1999, as the violence increased and many people became displaced within the country, HAK, assisted by the Indonesian NGO worker, organised a workshop on 'Disaster Preparedness' to which it invited other NGOs including Caritas East Timor and church humanitarian workers. This was supported by AusAID and UNHCR. From this workshop, HAK formed the coordination network, POSKO, involving several NGOs (e.g. Timor Aid, ETADEP, Bia Hula), and many church workers, and obtained funds from AusAID and the New Zealand Government for emergency assistance.<sup>190</sup> This was distributed in areas such as Same, Liquica, and Suai as well as Dili, under intensely difficult circumstances. HAK was supported in this work by a number of volunteer activists who came from the Indonesian Humanitarian Mission for Timor Lorosae (MKITL). The UNAMET Humanitarian Office relied heavily on POSKO for delivery of humanitarian assistance, providing POSKO people with the means for transport and the UN's 'protective umbrella'. Indeed, it was largely staff and volunteers from POSKO who comprised UNAMET humanitarian convoys.<sup>191</sup>

Also in the lead up to the 1999 ballot, HAK formed the 'Committee for an Honest and Just Referendum', whose role was to inform the people about the referendum and to monitor the process. The Committee involved HAK staff and volunteers as well as activists from Indonesia and a couple of volunteers from England and the USA.<sup>192</sup>

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<sup>188</sup> Respondent 56.

<sup>189</sup> Respondent 94.

<sup>190</sup> Respondents 94, 56, 59 and Yayasan HAK Brochure.

<sup>191</sup> Respondent 94.

<sup>192</sup> Respondent 56 and HAK Brochure.



These foreigners were important, since they helped protect HAK from militia attack. HAK regularly provided UNAMET with reports about the human rights and security environment, which was far from ideal. As a result of their popular education outreach and monitoring work HAK would dialogue with UNAMET about the modalities for the popular consultation, expressing grave concerns about the security arrangements. Their monitoring picked up a lot of indications that militia were planning the violence which ensued. HAK argued that the Government of Indonesia (GOI) had a conflict of interest, and that international agencies should have a stronger security role to enable the UN to guarantee people's security and their freedom to vote.<sup>193</sup>

Throughout this period they worked closely with key UNAMET staff, particularly the Head of the Mission, and staff from the Political Affairs Department. HAK had wanted the referendum postponed, because they felt the security situation was inadequate. As late as 24 August 1999 they called for an immediate improvement to the security, so that people could vote in an environment free from violence and intimidation, or delay the ballot. Though UNAMET staff in Dili appeared to share their concerns, the decision was made in New York to press ahead. HAK was disappointed with the international community, which, as one staff member said, had not been convinced for many years about the atrocities committed by the GOI. That such atrocities continued in the presence of the international community, which failed to enforce its own resolutions, surprised the HAK team.<sup>194</sup>

After the ballot, as the violence flared, many HAK workers decided to stay at their office. The HAK staff and volunteers were in touch with friends in the mountains and phoning reports out to Amnesty International in London, and the East Timor Action Network (ETAN) in the USA. They were still at their posts when the militia attacked the Catholic Bishop's compound. On the night of the fifth of September, the militia attacked the HAK office,<sup>195</sup> and Indonesian friends who had made an evacuation plan for HAK staff put it into operation, getting them out of East Timor to Bali and

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<sup>193</sup> Respondent 59.

<sup>194</sup> Respondent 59.

<sup>195</sup> Respondents 56 and 59.

Jakarta.<sup>196</sup> While in Jakarta they worked to provide assistance and information to the refugees in other parts of Indonesia, including how to return to East Timor. HAK's Director meanwhile, assisted by international groups, especially Amnesty International and Human Rights Watch, went to the USA and Europe. His initial purpose was to address a Special Session of the UN Human Rights Commission called to discuss the crisis. He joined Jose Ramos Horta, and Catholic Bishop Belo there. While in the USA he also met with the Legal Department of the UN as well as very senior people at the State Department,<sup>197</sup> the Congress, USAID, and the World Bank, while in Europe he met with members of the European Union. USAID offered immediate assistance to get the staff of HAK back from Jakarta to reestablish the organisation.<sup>198</sup>

### 6.3 Reestablishing HAK

Meanwhile some HAK members who had stayed in the hills returned to Dili and began assisting World Vision with food distributions, using some old trucks which they had found. They tried to reorganise POSKO, but soon found that they could not compete with the international aid organisations, and abandoned the idea of resuscitating that network, at least until others returned from Jakarta.<sup>199</sup> The HAK staff and volunteers still in Jakarta divided into two groups. The first group returned to Timor in October with a satellite phone provided by Xanana Gusmao, while the other group stayed in Jakarta until November, continuing their work with refugees and raising funds to reestablish the HAK office in Dili. USAID gave assistance in kind. This provided a table, computer, and motor bike which arrived in January 2000. Other assistance was provided by Community Aid Abroad (CAA).<sup>200</sup>

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<sup>196</sup> The plan involved chartering a plane to evacuate them, which was made possible by support from within the Chinese business community in Jakarta whom Indonesian human rights groups had assisted at the time of the anti-Chinese riots in Jakarta in 1997/8. The HAK staff, then detained in Police Headquarters, had to bribe a police commander with their car to facilitate their safe passage to the airport to board this plane (respondents 94 and 65).

<sup>197</sup> Respondents 55 and 56. For example, at the State Department he met with Stanley Roth, Assistant Secretary for Asia-Pacific. At the World Bank, he met with Sarah Cliffe who was appointed to head the World Bank Mission in East Timor.

<sup>198</sup> Respondent 55.

<sup>199</sup> Respondent 94.

<sup>200</sup> Respondent 56.

HAK quickly reestablished two programs, the first, using a truck provided by CAA, was food distribution as part of the overall emergency response. They also assisted other international organisations with aid distributions in the districts (Marut and Meijer 2003:7). The second area of work was human rights investigations. HAK's initial role was to investigate the overall situation of people in the country and provide this information to the UN agencies (such as UNHCR and UNDP), with whom they had already established relations, and to other local NGOs, such as Timor Aid. At first, HAK provided staff to the UN agencies and they provided the transport. Gradually, after some difficulties, HAK obtained equipment and transport of their own.<sup>201</sup> HAK was also very involved in the process of reconciliation and repatriation of refugees during this early period. They worked with an NGO in Kupang, West Timor, to provide information to refugees and facilitate communication with their families, to create the conditions under which they could decide to return. Before the CAVR was established, HAK had already undertaken some community-level reconciliation work in Suco Cassa, Ainaro (Yayasan HAK 2001a).

While the Director remained lobbying in Europe and the USA, one of the other staff stepped into the role of Director in East Timor, a position he subsequently retained. Organisationally HAK still had three teams, but these were: (1) legal and human rights (2) emergency assistance, and (3) administration. At this point HAK's numbers had grown again with about 45 activists, including many students, who were helping in whatever ways they could, and the organisation had established humanitarian aid bases in a number of districts (Marut and Meijer 2003:7).

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<sup>201</sup> Respondent 94.

## 6.4 Beyond the emergency: HAK's new roles in the UNTAET period

While the HAK team responded to the emergency situation they began thinking about how to return to their vision and mission, and bring their focus back to human rights and advocacy in the new situation. At the end of 2000 HAK had a strategic planning meeting in Maubara to consider how to reorganise their structure and adapt to the new situation. At this meeting they redefined their roles in the new context, considering how a human rights organisation could best contribute. They decided there were three key roles:

- 1) to do what they could to develop a new state system which would guarantee human rights;
- 2) to pursue justice for the victims, to guarantee them justice; and
- 3) to promote human rights among the people.<sup>202</sup>

Then, in early 2001 when the emergency operation ended, HAK closed down its emergency post and decided to maintain three branch offices (known as *Rumah Rakat* or People's Houses), redeploying many of the emergency staff team who had been in the districts, as well as some other staff, to those offices. The objective was to strengthen HAK's links to the districts and make themselves more accessible to the people. Before the emergency they had only been able to operate from Dili, and had relied on their network of individual contacts for communication with the rest of the country. The three offices between them were responsible for three regions of East Timor: the office for the East in Baucau, the Central region in Maubisse, and the western Region in Maliana. These offices helped implement all aspects of HAK's work.<sup>203</sup>

### *Developing a state which would guarantee human rights*

HAK's new mission, set out in its first four-year plan developed in 2000 was 'to establish a society in Timor-Lorosae which is more just, more prosperous and more

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<sup>202</sup> Respondent 56.

<sup>203</sup> Respondents 58, and 62 and HAK Brochure.

democratic’ (Marut and Meijer 2003: 9). This was refined later: ‘to promote human rights in all aspects of the reconstruction and development of Timor-Lorosae’ (Yayasan HAK 2002:5).<sup>204</sup> The later statement reflected a clearer sense of what HAK itself could do, and certainly reflected the type of work it has done since mid-2000. From the development of UNTAET, through the transitional period, to the installation of the first government of the independent state, HAK monitored the legislative process, and tried to generate public awareness about what was important to the establishment of a good state system from a human rights perspective. HAK also assisted UNTAET develop the transitional judicial system. HAK’s founding Director, by then returned to East Timor, became a member of the Judicial Council, which was responsible for this major task, and very early on, two HAK lawyers were recruited as judges.<sup>205</sup>

As UNTAET developed the National Council (NC), HAK’s founding Director was invited to become a member, a very important role in relation to HAK’s objective. The National Council was a body which worked almost entirely by consensus, so members had to listen to each others’ arguments, negotiate with each other and try to accommodate the range of views which might exist.<sup>206</sup> As representatives of different constituencies there was also an inbuilt accountability mechanism back to those groups. The National Council members consulted NGOs through the East Timor NGO Forum which enabled NGOs to have real input and some influence. NGOs were able to propose or suggest amendments to laws, and they used these opportunities.<sup>207</sup> For example, it was HAK’s National Council member, supported by NGOs, who successfully argued that the Electoral Law should make provision for independent candidates, not just political parties.<sup>208</sup> UNTAET also drew on HAK’s legal expertise: the SRSG gave HAK every piece of draft legislation for comment, and they had considerable input on key regulations (Yayasan HAK 2001a). Assisted by the then Director of the NGO Forum and a representative from RENETIL, they also provided training to the National Council members about how to develop legislation (Yayasan

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<sup>204</sup> Translated from the Indonesian by myself.

<sup>205</sup> Respondents 55 and 59.

<sup>206</sup> Respondent 55.

<sup>207</sup> Respondent 59.

<sup>208</sup> Interestingly this enabled the current President to nominate as an independent candidate in 2007.

HAK 2001a:8). Throughout this period they worked very closely with the UN Human Rights Unit to ensure that draft legislation met human rights standards.<sup>209</sup>

During the election period for the Constituent Assembly, HAK were very involved in civic education. Their Director was a member of the National Commission for Civic Education organised by UNTAET which played a critical role in communicating to the community about the election and overcoming their fear of political violence.<sup>210</sup> HAK was also involved in its own campaign of citizen education covering ‘the transition process moving towards full independence, the role of the UNTAET Transitional Government, general elections for the Constituent Assembly and the President of the Republic, the content and process for formulating the Constitution, along with the role of the people in this formulation’.<sup>211</sup> HAK published a new journal ‘*Cidadaun*’ (Citizen) specifically to communicate to the public issues related to their newly earned citizenship during this early period,<sup>212</sup> although they were unsuccessful in their argument for a wide popular consultation about the Constitution. By this stage HAK had over 50 volunteers, and more wanting to join. In particular students from the University of Timor-Leste (UNTL) and people from the rural areas had been attracted to HAK and wanted to play a role in its work.<sup>213</sup>

After the elections, HAK soon became active in the Constitution making process, with support from The Asia Foundation. In preparation for this HAK and FOKUPERS had together formed a Constitutional Education Working Team, including members from other NGOs, to study and learn about other Constitutions, and to conduct public meetings in thirteen districts. The Team had two goals:

- 1) to support the work of the Constituent Assemble (sic) in writing a new constitution for independent East Timor; and

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<sup>209</sup> Respondent 102.

<sup>210</sup> Respondent 93.

<sup>211</sup> Yayasan HAK Brochure.

<sup>212</sup> Respondent 62.

<sup>213</sup> Respondent 56.

2) to give the chance for East Timorese (sic) to share their opinions on the constitution, both in terms of process and content (Yayasan HAK 2001b: ii).

The team conducted meetings in each of Timor's thirteen districts between March and June 2001, involving 1267 people from diverse backgrounds, among them youth, women, members of political parties, religious organisations, various professions, traders, peasants, fisherfolk, police and government officials (Yayasan HAK 2001b). The workshops provided education about the process of constitution-making, conducted dialogues, and gathered opinions about what should be in a constitution. The many participants clearly emphasised the need for genuine participation in democracy. A full report was presented to the Constituent Assembly (CA) members on 21 September 2001, in the early weeks of their deliberations. It incorporated people's views about the constitution making process, the basic principles which should be included in the Constitution, especially regarding Timorese nationalism, the type of state that they wanted to see formed, issues to do with land and the economy, and human rights matters (Yayasan HAK 2001b). This report was apparently 'very important' for CA members at that time.<sup>214</sup> The report formed part of a wider campaign by NGOs, with strong input by HAK, on the human rights principles which should be enshrined in the Constitution. HAK was active in presenting its ideas when the CA held public hearings. It made formal submissions to the relevant Commissions of the CA on a Bill of Rights and on Principles of National Sovereignty and appeared before them on several occasions (Yayasan HAK 2001a:7).<sup>215</sup> It actively monitored the Constitutional drafting process, and lobbied CA members on key human rights issues. While a separate Bill of Rights was not adopted, many of the rights recommended by HAK were enshrined directly into the Constitution and HAK felt that it had been relatively successful with its lobbying.<sup>216</sup>

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<sup>214</sup> Respondent 92.

<sup>215</sup> Respondent 59.

<sup>216</sup> Respondents 56, 59.

*Pursue justice for the victims*

HAK has consistently worked to pursue justice for the victims of human rights abuses. Even before September 1999, they started to gather background information about TNI leaders, and afterwards, as well as trying to help provide aid to people, they carried out investigations of the atrocities which had been committed, and passed on documents found at Indonesian military headquarters to an International Commission of Inquiry.<sup>217</sup> They were also pushing the UN for proper investigation of the many human rights violations. To this end, HAK was involved in the UN's establishment of the Serious Crimes Unit, coming into conflict with the head of UN Political Affairs over this. According to one HAK staff member, this UN official opposed it because he saw it as a 'back door' to an International Tribunal.<sup>218</sup>

By 2001, issues of justice and reconciliation for East Timor were being dealt with in three fora, all of which HAK staff closely monitored. These fora were the Ad Hoc Tribunal in Jakarta, and the UN's Serious Crimes Unit and the newly established Truth, Reception and Reconciliation Commission (CAVR) within East Timor. HAK continued to campaign for an International Tribunal to deal with crimes against humanity, which the other processes were not addressing, and coordinated an Alliance for an International Tribunal involving students, victims and NGOs. Throughout the transition period, HAK also worked closely with international NGOs, including Indonesian human rights organisations, and the UN High Commission on Human Rights, to keep the need for an international tribunal on the agenda. For example, they worked with the East Timor Action Network (ETAN) to bring a case to the Federal Court, D.C. USA, against Vice Chief of Staff of the Indonesian Army, Lt Gen Johnny Lumintang, for his involvement in killings in Ainaro in 1999, at which HAK staff and several other victims testified (Yayasan HAK 2001a:15).<sup>219</sup> The Chair of HAK's Human Rights Advocacy Division also had the opportunity to address the UN Security Council and dialogue with members of the US Senate and Congress on the issue of

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<sup>217</sup> Respondent 59.

<sup>218</sup> Respondent 56.

<sup>219</sup> One HAK staff member appeared on behalf of himself and his father over the killing of his own brother.



crimes against humanity (Yayasan HAK 2001a:15). In late 2001 HAK, FOKUPERS and Oxfam jointly researched the demands of the victims for justice, and in October that year HAK, in cooperation with various NGOs, held an international seminar on the International Tribunal (Justice and Accountability in East Timor 2001). When President Gusmao visited Jakarta in 2004 to meet with Indonesian Presidential candidate and former Head of the Indonesian Army, General Wiranto, HAK organised a protest and wrote to their President to express the feelings of the victims about this meeting. This was the first ever protest against President Xanana Gusmao.<sup>220</sup>

*Outreach to promote human rights among the people*

During the emergency period, when HAK staff and volunteers went out to the districts, they found that people there needed information; in particular they needed help to access the aid which they knew had arrived, but which they did not know how to obtain. They were dealing at a very practical level with very basic socio-economic rights. Then people brought many types of problems to HAK, some of which it could not solve; these included family conflicts, land conflicts, legal problems, and jealousies between villages about why some got aid and others did not. The HAK staff would try to find ways to help people, or refer them to others who might provide advice or assistance. They would also explain existing laws to them because people, including traditional or local leaders, often did not understand the laws. This problem solving and conflict resolution work has continued, with HAK always trying to solve the issues presented to it within a human rights framework.<sup>221</sup>

During the early transition period, HAK ran many human rights education and training programs for people in the districts, and for different groups such as the police, high school teachers, and specific communities, especially those facing particular human rights problems. They also developed a series of human rights training modules in cooperation with the UN Human Rights Unit, and broadcast human rights radio programs through church and community radio stations in Dili, Los Palos, Maliana and

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<sup>220</sup> Respondent 56.

<sup>221</sup> Respondents 62, 64.

Liquica. HAK's Branch offices worked with a range of the new NGOs which had formed in the districts. Most of these were initially funded and supported by the UN Office of Human Rights, which was unable to do much capacity development work to strengthen them, so it encouraged them to build their skills by working closely with HAK. HAK worked with five new local NGOs in the Districts of Aileu, Ainaro, Maliana, Ermera and Viqueque; HAK staff encouraged them to participate in its activities, invited them to workshops and events related to human rights, and involved them actively in its investigation and monitoring work so that they could learn investigation and advocacy skills by working together<sup>222</sup> (Yayasan HAK 2001a).

The focus of HAK's work clearly shifted from violations of civil and political rights before the emergency, to issues of domestic violence and socio-economic rights afterwards, including problems with health, education, agriculture etc. Indeed, an evaluation report by consultants engaged by HIVOS, suggested that HAK had become confused as a human rights NGO, in trying to meet all the demands placed upon it. As they saw it, HAK's role was to promote human rights understanding by the people and ensure that the Government fulfilled its human rights obligations to them. It was not its role to try to satisfy those obligations itself. However, HAK staff thought they needed to provide practical support, not simply offer rhetoric about human rights (Marut and Meijer 2003:13).

## **6.5 HAK in 2002-2004**

After the formal declaration of independence, HAK's work continued in similar directions. HAK had planned to develop a new strategic plan in 2003, but as UNMISSET's mandate was extended, and the nation was still in a transition phase, they delayed this until late 2004 and continued on the path set in 2001-02.<sup>223</sup>

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<sup>222</sup> Respondent 58.

<sup>223</sup> Respondent 56.

*From Yayasan to Perkumpulan*

HAK articulated its values in its first public Annual Report:

- (1) humanity, meaning non-violence and non-discrimination
- (2) equality, meaning prioritising local resources with a gender perspective
- (3) justice, with the principals (sic) of democracy and sustainability
- (4) democracy, with the principles of solidarity, transparency, accountability, participation, liberty and responsibility (Yayasan HAK 2001a:1).

This broad set of values is evident in both its internal management changes since 1999, and in the approaches HAK has taken in its program work. The gender perspective is one area however, in which it remained quite weak and Marut and Meijer noted that while internal democracy was good, and staff felt that it ‘supports their work and strengthens their commitment’ (Marut and Meijer 2001:11), they noted that there were age and seniority differences which were evident (Marut and Meijer 2003). Organisational democracy was one area that HAK recognised required work.

When HAK began it was established as a Foundation under Indonesian law. It had only a few people involved at board level, among them the current chair. One decision of the strategic planning meeting held at the end of 2000 was to change HAK’s status to become an association, giving ultimate power to a membership base. This took time to implement because of other demands, but in November 2002 HAK deliberately democratised itself, transformed itself into an association and invited people to become members. Since then the highest level of decision making has been through a Members’ General Meeting, held every four years, and a Members’ Annual Meeting. In practice, there have been two general members’ assemblies a year—one held mid-year to evaluate progress of activities, and one at the end of the year to do annual planning, and approve new members<sup>224</sup>(Yayasan HAK 2001a:23).

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<sup>224</sup> Respondent 56.

The association started with around 100 members, and had grown to 120 members by mid-2004. These included legal professionals, international human rights supporters, farmers, activists from other NGOs, MPs (from FRETILIN and PSD), and members of the middle class, as well as the staff and volunteers of HAK, all of whom paid US\$25 per year in membership fees. The General Meeting of members formulates guidelines for HAK's programs and receives reports from the Executive Board (senior staff) and the elected Member's Representative Council. The members also elect the Executive Board to their positions for a period of four years. The Member's Representative Council (MRC), elected for a four-year period, supervises the implementation of the program guidelines by the Executive Board. The Council in 2004 comprised nine members, including a Supreme Court Judge, a member of parliament, a prosecutor, the manager of the Islamic Community, and two international human rights activists living in Timor-Leste. The Chair was the Moderator of the Protestant Church.<sup>225</sup> The entire staff met towards the end of every month, with two representatives of the MRC present, and this meeting was followed by the monthly meeting of the MRC itself in the first week of the subsequent month. This change in organisational status was 'a monumental step taken by the HAK founders and staff' (Marut and Meijer 2003:10) reflecting a desire to internalise democracy, and develop greater commitment through staff participation in decision making and greater organisational transparency and accountability.

In addition to these changes, since the early period when there were essentially only two functions, HAK has restructured its management several times. From 2001-2004 it had six divisions, but these were reduced to five during 2004.<sup>226</sup> In late 2004 HAK was led by a Director, an Associate Director, and Directors of each division (together known as the Executive Board) with the following functional divisions:

- policy advocacy;
- legal aid;
- research and documentation;

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<sup>225</sup> Information gained from participation in mid-year Review meeting July 2004 and respondent 56.

<sup>226</sup> These were subsequently reduced to four in early 2005. Information provided during review of case study by HAK.

- community empowerment;
- membership services and mobilisation.

These divisions had weekly and monthly meetings for reviewing and planning their work.

Between them, the Divisions managed five program areas:<sup>227</sup>

1. Formulation of program and policy recommendations that guarantee the fulfilment and protection of human rights.
2. Empowerment of social groups and defence for victims of human rights violations.
3. Protection of society's creativity, knowledge, assets and interests.
4. Strengthening the network for enforcement of human rights.
5. Development of organisational management (Yayasan HAK Brochure).

The following sections set out the type of work which the five Divisions have undertaken until late 2004.

### *Policy/Advocacy*

The goals of HAK's policy/advocacy area were to ensure that all government policies protected human rights, and to ensure public discussions were held about key policies or regulations before public hearings were held in the Parliament. HAK conducted political analysis and used its newsletters to share information and perspectives on current issues with a wider audience. To achieve these goals, HAK established relations with the first President of Timor-Leste, the Parliament, and the Ministries. HAK worked closely with the President in his Commissions for Veterans and Former Combatants, with two senior staff participating as members of the Commissions and HAK staff assisting as required with workshops and resolution of problems at local levels. The President also invited HAK to be actively involved in his 'National Dialogues' and to help when people went to him about problems in the rural areas

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<sup>227</sup> In early 2005 HAK developed a new three year Program Strategy 2007-2007 following its December 2004 Annual General Meeting. It has three strategic advocacy areas: Law, Justice, and Economic and Social issues as well as a focus on institution-building (Yayasan HAK 2005).

(Yayasan HAK 2001a, 2002).<sup>228</sup> But he clearly disagreed with HAK about an International Tribunal.

Hak was actively engaged with the processes of the first Parliament. In 2004 HAK was monitoring and trying to influence a range of laws under consideration. These included the Amnesty Law (which would have wide powers to grant amnesty to perpetrators of violence, and in HAK's view would damage the judicial processes), the Election Commission law (especially relating to local government elections); the law relating to the new Office of the Provedor (which then appeared likely to have a range of powers similar to a Human Rights Commission, an Ombudsman and an anti-Corruption Commission), and the proposed NGO law. As HAK often obtained early drafts of laws it was able to set up small working groups with other interested NGOs to discuss them and form positions as a basis for lobbying. Other areas in which HAK was previously involved related to the citizenship law, land and property, and immigration, and it was expecting to have input on forthcoming laws on investment and security.<sup>229</sup> When the amnesty law was first tabled in Parliament HAK mobilised people from the remote villages to write to Parliament against the proposed amnesty provisions. As a result, the law was put on hold, and had not been reintroduced by late 2004, apparently because it lacked support.<sup>230</sup>

Between 2002 and 2004, HAK also worked closely with a number of Ministers and other senior Advisers in the first Timorese Government, in particular the Justice Minister, the Minister for Interior (responsible for Police) and the Adviser to the Prime Minister on Human Rights. With the Justice Minister they worked on judicial system matters; for example, they helped the Government set up a mediation team for dealing with land disputes. HAK became involved because they had experience in resolving such problems in Maliana and the Viqueque District before the Government had any mechanism. HAK had also assisted with the resolution of a particularly difficult land

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<sup>228</sup> Respondent 56, 61 and various issues of *Newsletter HAK* and *Direito* 2003, 2004.

<sup>229</sup> Respondent 63.

<sup>230</sup> Respondent 59.

conflict in Uatulari.<sup>231</sup> In addition HAK staff worked with the Justice Minister to undertake human rights education activities and provided human rights training to police at the Police Academy and in the districts, the latter with the UN Human Rights Unit. They were monitoring police and addressing abuses they found occurring.<sup>232</sup>

The Human Rights Adviser to the Prime Minister involved HAK, the NGO Forum and REDE Feto as the key NGOs to be members of a Joint Government-Civil Society Working Group on the National Human Rights Action Plan. This was initiated by the Government, and after some preliminary work, including public hearings in seven districts, the Prime Minister's Department held a Consultative Workshop about the plan in Dili in December 2003. In 2004 HAK was working with the Adviser on gathering base-line data from the districts as a first stage of the planning process. Her office worked with HAK in a range of training workshops and seminars, and they were working towards HAK being allowed to make visits to prisons and hospitals in the future.<sup>233</sup>

Despite these very positive relationships, there were some contradictory trends as well. For example, the Vice Minister for Justice was known to have said that NGOs were illegal organisations,<sup>234</sup> and some MPs wanted to change some of the laws passed in UNTAET period—for example, defamation was recognised as part of the civil law at that time, but some MPs wanted it treated as criminal law, which represented a threat to freedom of speech. HAK also continued budget monitoring, particularly in the sectors of agriculture and the judicial system. They had written, with some concerns, about the impact of the proposed investment law on national development.<sup>235</sup>

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<sup>231</sup> Respondents 56, 61.

<sup>232</sup> Respondent 56; HAK staff worked with a simple message: 'Polisia husi povo atu proterje povu mia direito' (The police are of the people, to protect the human rights of people).

<sup>233</sup> Respondents 58, 91.

<sup>234</sup> Respondent 56; In fact, in the absence of a new Timorese law NGOs could register under the old Indonesian laws relating to foundations and associations. Many of the new organisations may not have been registered under these laws, but the older NGOs were still registered. The Minister may have meant that the NGOs were extra-legal, i.e. there was no law covering them under the Timorese administration; this may have been an issue of translation from Portuguese.

<sup>235</sup> Divisional Reports to the Board for the Period January-June 2004, Division of Policy Advocacy.

There were also a number of HAK's activities which required an international response, for example, the issue of the establishment of an International Tribunal, the question of the maritime boundaries and distribution of the benefits of resource exploitation in the Timor Sea, and the role of international organisations in East Timor. In relation to the international issues, HAK continued its major coordination role for the Alliance on the International Tribunal; it ran a 12-month campaign plan which involved a range of activities at the local level with victims and their families, and at the international level through bodies such as the UN Commission on Human Rights. In 2004, for example, in conjunction with the Empowerment Division, they held a workshop in Oecusse with community leaders, police, and government representatives about the actual process of seeking justice, and the political realities facing the International Tribunal campaign, bearing in mind broad national interests, the Indonesia-East Timor border question and other factors. The campaign was finding progress difficult and was considering new strategies, such as a 'Popular Tribunal'. HAK also worked with other NGOs on the campaign about maritime boundaries in the Timor Sea between Australia and Timor-Leste, and distribution of the benefits of the oil and gas reserves, making statements and comments about the issue.<sup>236</sup> In early 2004 one of HAK's members had joined a joint NGO study tour looking at the impact of natural resource industry in Nigeria, organised through the NGO *La'o Hamutuk*. The campaign was also building links with Australian civil and political society.<sup>237</sup>

### *Legal Aid*

By this stage the Legal Aid Division no longer took on all the cases which came to HAK, but only those it considered to be strategic for policy advocacy. Strategic cases might involve the police as suspects, or be related to labour issues, the environment or domestic violence. For example, in the six-month period January-June 2004, HAK was consulted about 40 cases, many of which it referred to alternative processes, rather than litigation. There were 22 cases where HAK accompanied the complainant(s) to meet

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<sup>236</sup> Respondent 63

<sup>237</sup> For Nigeria, see *La'o Hamutuk Bulletin* Vol 5, No 1, January 2004 p.11. Seven East Timorese NGO representatives went to Nigeria from 11-28 January 2004. For Australia, the Timor Sea Justice Campaign in Melbourne had strong links with the network of NGOs in Dili and I was present in Dili when a group of Australian students visited on one occasion (personal observation).



with another institution which had the competence to solve their specific problem. Three cases were taken to the court, eight followed a process of mediation, and others remained unresolved.

When HAK was asked to assist, it always started with mediation and only used litigation if that failed. For example, in Uatulari, where there was a complex land dispute which HAK was helping to resolve, the initiative came from the community and HAK to establish a Mediation Commission, comprising women, youth, local leaders, church leaders and others. In early June 2004, a meeting involving local authorities, such as police, local leaders, the Land and Property Unit, LBH (a legal aid NGO), CAVR, and the Ministry of Justice, agreed to establish this Commission. Mediation cannot resolve everything though.<sup>238</sup> On 18 May 2004, HAK registered a case in the Dili District Tribunal to give it legal standing to take the UN to court for failing to take certain cases forward, thus depriving victims of the possibility of justice and compensation. This was part of HAK's efforts to gain justice for the victims of serious human rights violations.<sup>239</sup>

*Research and documentation (previously called Monitoring and Investigation)*

This Division was responsible for monitoring human rights violations from the past and the present. It actively investigated cases of violations caused by the Police and the Defence Force, as well as in the prisons. It was also monitoring court processes. In a significant development, the Police Commander had approached HAK to join a team to look at how to build the capacity of the police, based on HAK's own data and the policies and regulations governing the police. As well as assisting in police training in response to this request, HAK assisted victims who had been beaten by police, with two police officers jailed as a result of court action; a further case was pending against a number of police allegedly involved in sexual violence.<sup>240</sup>

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<sup>238</sup> Respondent 61.

<sup>239</sup> Respondent 63.

<sup>240</sup> Respondent 58.

At the same time HAK was involved in data collection about human rights violations from the past (from 1975-1999). Data from this period was provided to the CAVR and the UN Serious Crimes Unit. HAK was also monitoring the processes of these two institutions to ensure victims were properly served by them. HAK was disappointed, for example, that the Serious Crimes Unit prioritised some cases over others, which they feared would never be dealt with. They were also concerned that the staff of the CAVR who facilitated the process of reconciliation were inexperienced and did not have a human rights background. They believed that sometimes victims were forced to sign reconciliation agreements, and that there was no monitoring of how those agreements had been implemented. HAK was nevertheless using the process of reconciliation to identify the violations which had occurred. HAK was also aware that the UN was planning to select a person to evaluate the Jakarta Ad Hoc Tribunal and the Serious Crimes process in East Timor. During 2004, the Government of Indonesia did not agree with the UN about the expert to be chosen, so the UN was waiting until after the Indonesian Presidential elections to make the appointment. HAK was trying to influence this process to recommend an International Tribunal.<sup>241</sup>

As HAK could not possibly do all the monitoring and investigation work with its limited resources it was developing a network of human rights advocates in the community including eleven interested NGOs in Dili, and a network of victims' families, the latter particularly to encourage them to participate in the process of obtaining justice for human rights violations of the past.<sup>242</sup>

### *Community Empowerment*

The Community Empowerment Division had two main roles:

- 1) generating public debate about law and human rights;
- 2) training for people in public institutions, NGOs and others about human rights.

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<sup>241</sup> Respondents 58, 56.

<sup>242</sup> Respondent 58.

As an example of the approach taken by this team, it had conducted twelve ‘base discussions’ in the first half of 2004 (i.e. approximately one per fortnight), in several locations in the Districts of Same, Suai, Liquica, Baucau and Maliana. In some of these places they worked closely with the Justice Department.<sup>243</sup> A June 2004 visit to Suai by members of the team illustrates the range of issues the Community Empowerment Division might have dealt with during these open ‘base discussions’ with people at local levels. The issues discussed included: poor information and communication about the process of development; rights of people to participate in the political process and the relationship between representatives and their constituents; gender equality issues (e.g. in civil cases, the victim is not listened to, only her family); and socio-economic rights, such as marketing problems for corn growers faced with poor roads.<sup>244</sup>

The Empowerment Division’s key idea was to reinforce people’s ability to be involved in the nation’s development, through having information about how to participate, and the ability to do so. HAK saw its role as a facilitator of such participation. Training was provided on general human rights principles as well as on specific issues, such as human rights and law, or human rights and customary law; or how to resolve problems through formal mechanisms. They also had a range of educational materials about common problems they found at local level, such as gender issues. This Division also published the newsletter ‘*Direito*’ about human rights issues, and produced radio programs for public education. Formerly published in Indonesian, since 2004, *Direito* was published in Tetum, although the HAK newsletter continued to use the Indonesian language. The radio programs were broadcast on Radio Timor-Leste, and Radio Rakambia, as well as various community radio stations in the districts<sup>245</sup> (Yayasan HAK 2001a, 2002).

Until December 2004 HAK ran three ‘People’s Houses’, one each in Baucau (for the East), Maubisse (for the Central region) and Maliana (for the West). There were generally about five program staff located in each ‘House’, one from each of the

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<sup>243</sup> Divisional Reports to the Board for the Period January-June 2004. Empowerment Division.

<sup>244</sup> Respondent 62.

<sup>245</sup> Respondent 62.

Empowerment, Policy/Advocacy, Investigation, and Cases Divisions, as well as a person who had responsibility for administration and finance, and security staff. Staff members from these districts returned to Dili once per month for the general staff meeting, where they both gathered and provided information, and maintained good communication between the main office in Dili and the districts. The three ‘People’s Houses’ were very helpful to the work of the Empowerment Division, as they made it easier to reach people at the base and to quickly get feedback from people in the districts and sub-districts—to know about conditions there and respond to them. However, in December 2004, in light of reduced funding, the three ‘People’s Houses’ were closed, although HAK continued to run activities in the districts.<sup>246</sup>

Finally, this team was responsible for HAK’s participation in the NGO networks HASATIL (Sustainable Agriculture) and Dai Popular (Popular Education). In relation to HASATIL, HAK was trying to strengthen the capacity of other members in relation to advocacy, and facilitate links with the Agriculture Department and international organisations. For Dai Popular, HAK was responsible for information in the regions.<sup>247</sup>

#### *Membership Services and Mobilisation*

This Division was responsible for strengthening the capacity of staff and the management of HAK, as well as relations with donors and members. For example, in early 2004, it organised for administrative and finance staff to take a study tour to selected NGOs in Indonesia; it also arranged HAK staff participation in training at Timor Aid in relation to standardised Tetum orthography. This Division worked with other Divisions to make proposals to donors, negotiate with them, as well as ensure narrative and financial reports were completed and the annual audit of HAK’s finances was undertaken.<sup>248</sup>

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<sup>246</sup> Respondent 62, 64, 65.

<sup>247</sup> Respondents 62, 68. See also Appendix B for more information about HASATIL and Dai Popular.

<sup>248</sup> Divisional Reports to the Board for the Period January - June 2004: Membership Services and Mobilisation.

This Division was responsible for organising meetings of the Members Representative Council, half-yearly members' meetings, and providing members with a regular (three-monthly) newsletter which reported in detail about HAK's activities and its financial situation. It also prepared an Annual Report. HAK tried to get its members involved in areas where they had skills.<sup>249</sup> Although there were several women on the board of HAK, and one female senior staff member, most of *HAK's* staff and volunteers were young men. Many of these had been activists in the past, and were former students. In part this male culture may be because some of the female activists had joined FOKUPERS, which was previously under HAK's auspices as a project on women's issues (see next Chapter). HAK and FOKUPERS continued to work closely on major issues. For example, they worked together with some judges to draft Domestic Violence legislation which in mid-2005 both were hoping would soon be tabled by the Justice Minister in the Parliament.<sup>250</sup>

## **6.6 Organisational development to meet the challenges HAK faces**

In August 2003 a team of evaluators commissioned by HIVOS<sup>251</sup> undertook a very significant review of HAK (Marut and Meijer 2003) which made a number of recommendations particularly stressing the need for HAK to be more focussed in its activities. This review was seen by HAK staff as very helpful, but clearly HAK still faced a number of challenges in late 2004. These included: promoting a culture of human rights and rule of law in the new nation; finding an appropriate relationship with the Government; determining a clear focus and role; developing staff and organisational capacities; and achieving financial sustainability. Some of the challenges can be summed up in the words of the Director: 'In the Indonesian period we faced a dangerous enemy. They could kill us. In the new context there is no clear enemy.' He explained that it is very hard compared to the Indonesian period as 'the enemy' can appear from anywhere, including from any problems within HAK itself. To meet these

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<sup>249</sup> Respondent 57.

<sup>250</sup> Respondent 56.

<sup>251</sup> HIVOS is a Dutch NGO, now part of the international Oxfam network, which was supporting HAK.

challenges, the organisation had to develop an understanding of its context and strategically respond.

*Promoting a culture of human rights and rule of law in the new nation*

The big challenge at the end of 2004 was to imbue the nation with a culture of human rights. At a formal level, human rights principles were enshrined in many articles of the nation's Constitution, and the Government had ratified many international human rights instruments, but putting human rights into practice was the critical issue. Police violations of human rights were still common, and HAK saw that it was extremely important that a culture of impunity was not allowed to develop. HAK was active pursuing cases against police in relation to their violence and human rights abuses against civilians. They were keen to keep building a community based network of human rights activists who could monitor and defend human rights across the country.<sup>252</sup> Maintaining and promoting the rule of law, educating people about the law, and ensuring no backsliding on human rights in areas of law already passed by UNTAET, or in new legislation, were also very important tasks. The environment remained difficult, with high levels of unemployment, and uncertain security, especially with the departure of the UNMISSET peacekeeping mission in May 2005. The subsequent violence in 2006 (Kingsbury and Leach 2007) indicates that HAK's fears of a return to violence and loss of respect for human rights were well founded.

*Finding an appropriate relationship with the Government*

HAK had a complex relationship with the Government after May 2002. The challenge HAK faced was how to balance close engagement with it in some areas with public criticism in others. HAK, along with other 'Farol' NGOs, was criticised occasionally for supporting the Government, but as one staff member commented 'These are the same people before, like us—we're just in a different place'. HAK did not want the process of nation building to fail, they want to help stabilise the country and 'make it like our dream'.<sup>253</sup> Many staff felt they could not simply criticise. They needed to make

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<sup>252</sup> Respondent 58.

<sup>253</sup> Respondent 63.

a contribution themselves. Being too publicly outspoken may have invited government criticism that the NGO was being political, or anti-government, not a charge that HAK wanted levelled at it. Thus some international observers may have felt that the organisation did not always put human rights above all else,<sup>254</sup> or that it was not using all the tools at its disposal in its advocacy (e.g. media) (see for example Riberio and Magno 2004). But in late 2004, HAK was still able to use old resistance networks for influence behind the scenes, so was less reliant on public comment. Yet of all the NGOs in East Timor, HAK was the one organisation which had the clout, the experience, and the public reputation to be able to publicly criticise the state where that was warranted.<sup>255</sup> The continuing challenge for HAK was how to maintain an influential relationship with the Government, while remaining firm in upholding human rights if these were compromised by different organs of the state from time to time. It was still early for HAK to feel confident about the role the state would play, since their past experience was only with an extremely oppressive government; to international observers they seemed at times to be ‘feeling their way cautiously’ in the new environment. Yet they, like other NGOs, had to try to create democratic space in the new nation, and as one HAK member said ‘it is logical that the Government will be nervous—NGOs have been working long before the Government, and they have a lot of experiences.’

Language was another issue affecting government relations. In HAK, the spoken language was largely Tetum; until mid-2004 all the written material was in Indonesian. But communication with the Government had to be in Portuguese. This led to considerable translation costs. HAK had dialogue with the Government on the matter, but the Government quoted the law back to HAK, saying Portuguese was in the Constitution. On a more positive note, HAK worked closely with the Government through an initiative called the ‘Rolling Think Tank’ which brought together government and civil society players to conduct joint research into key development issues. This initiative came from the National Directorate of Planning and External

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<sup>254</sup> Respondent 102.

<sup>255</sup> Respondent 55.

Assistance Coordination (NDPEAC) in the Ministry of Finance and Planning. The first joint study was of lessons learned from the World Bank's Community Empowerment and Local Governance Project, and was published in March 2004. The initial team comprised three from the Government (two from NDPEAC, one from President's Office) and three Timorese NGOs, plus one INGO who provided a volunteer for two months to work with the team (NDPEAC 2004).

#### *Determining a clear focus and role*

From a small legal aid office HAK had grown significantly in both the size and scope of its activities over the five years. It responded flexibly to the rapidly changing situation, and, because of its capacity and its broad interpretation of human rights, took on a range of roles well beyond its original focus. But the challenge it faced was that, with the likely resources at its disposal in the next few years, it could not be really effective if it kept trying to do everything it was doing in 2003-04. Its staff and volunteers were very overworked, meeting all the expectations which had been created of HAK. It had built enormous trust at community level, and needed to maintain that, but could not stretch its resources infinitely. It needed to refine its focus, especially in light of the growing capacity of other organisations, (e.g. in monitoring, cases etc).<sup>256</sup> The Strategic Planning process started in August 2004 was intended to address this challenge.

#### *Developing staff and organisational capacities*

HAK staff and volunteers had participated in a great deal of training in East Timor and internationally,<sup>257</sup> but what staff said had been most important was the internal learning which had been fostered within HAK, through monthly gatherings of staff and volunteers. It was through these monthly meetings that staff who had undertaken training or study tours had been able to share with others the results of their experiences. These meetings also provided an opportunity for collective discussion of how to solve problems facing individuals or the organisation as a whole. Some of the

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<sup>256</sup> Respondents 56, 58, 102.

<sup>257</sup> Respondent 65.



most valued help was ‘accompaniment’ by more experienced NGO staff from Indonesia, or, in one case a young lawyer from Australia, who remained with them for long periods. Through this kind of help they said they had learned together. Seeing how other NGOs elsewhere had developed and overcome similar problems to those they faced had also been very valuable.<sup>258</sup> There were continuing challenges of building staff skills and commitment, and strengthening the organisation itself. For example, some newer staff may not have had the activist commitment of the founders; or students, who always volunteered in the Indonesian period, may want to be paid.<sup>259</sup> These were internal challenges to build and maintain a really competent, effective organisation. There were also new skills, such as legal skills, which some staff felt were necessary to help them debate new laws and regulations.

#### *Achieving financial sustainability*

One further challenge was clearly the development of financial sustainability, with the independence to determine the organisation’s own directions, and not be drawn into donor agendas. At the end of 2004 the impact of reduced funding was clearly being felt. HAK’s donor base had changed somewhat over the period since 1999 and by 2004 HAK was building its own fundraising strategy, although there was still no staff member dedicated to fundraising. HIVOS, CAA and Asia Foundation were the main funders shortly after the 1999 crisis, but in mid-2004 HAK’s key funders were: HIVOS, which intended to give long term general support, and was committed for a three year period; The Asia Foundation for legal aid work, though HAK said they had tried to intervene on internal management and they may not continue support in 2005; Ireland Aid, for police monitoring; and Finland, for general human rights work and justice work.<sup>260</sup> Previous donors who were not funding HAK in 2004 were AusAID, CAA, and CRS. CRS had invited HAK to join their ‘Engaging Civil Society’ capacity building project, but had many conditions with which HAK did not agree, so they had declined their support. HAK’s own fundraising took the form of a membership fee

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<sup>258</sup> Respondents 56, 58, 64.

<sup>259</sup> Respondent 56.

<sup>260</sup> Respondents 25, 56, By June 2005 The Asia Foundation (TAF) was no longer a donor. The main donors in 2005 were: HIVOS, Ireland Aid, USAID, *Solidaritas Jepang* (Solidarity Japan), CAFOD, Oxfam and the Catholic Bishops’ Conference of Japan.

from over 120 members, and an agreement among staff that a percentage of consultancies and per diems they earned went into HAK's general funds. HAK staff were obliged to donate 40 per cent of their income earned from activities such as 'consultation services, case mediation, and facilitating trainings organised by other institutions' (Yayasan HAK 2001a:24). HAK's funding levels increased annually from 2001-2003, but declined considerably by 2005.<sup>261</sup> By mid-2005, HAK had seven donors, but the total funds raised appeared likely to continue to decline. Yet HAK had also raised more from its own earnings than the contribution of any single donor (US \$37,762 to 30 June), approximately 30 per cent of its half-year budget.<sup>262</sup>

While donors used to come knocking on HAK's door before 1999 and soon afterwards, that situation had undoubtedly changed at the end of the study period. Official donors appeared to be more focussed on the Government since 2002. HAK also perceived that some NGO donors (like CRS and TAF) who said they had a 'partnership' approach, in practice did not treat HAK as an equal—they wanted HAK to implement their own programs rather than support HAK's directions and approaches. HAK was unwilling to 'partner' on this basis. It was therefore actively considering alternative approaches to financial sustainability, such as the possibility of opening a for-profit law office to finance its not-for-profit work.<sup>263</sup>

<sup>261</sup> *The table below shows HAK's budget and key donors over five years:*

Year	US\$	Donors
2001	223,133	6 donors (three large-Oxfam, HIVOS, TAF- and three smaller)
2002	287,000	4 donors, plus own funding (\$90,000)
2003	321,010	5 donors, plus own funding (\$53,000)
2004	Total NA	4 donors, plus own funding
2005 (to 30 June)	124,331	7 donors, plus own funding.

<sup>262</sup> Financial report sighted at HAK Mid-Year Review Meeting 3 July 2004.

<sup>263</sup> One respondent was considering using the proceeds of an international award towards this goal.

## 6.7 Conclusion

HAK's vision was initially limited to defending the rights of political prisoners and contributing to maintaining open, or widening, the space for people to assert their right to self-determination. As events unfolded that vision shifted to one of asserting and trying to help provide for the basic human rights of people in extreme circumstances, ensuring justice for the victims of serious human rights violations and developing a state and society committed to upholding human rights. The vision became clearer and more specific as the organisation developed and circumstances changed, and along with this the range of strategies and approaches expanded.

The organisation went through phases of expansion and contraction, and its programs and management structure changed several times during the period of study. The organisation had an ethos of democratic participation, had reconfigured itself from being a foundation to become a membership-based association, and its ability to support and sustain district-based or regional centres outside Dili also varied with the level of funding it obtained and the tasks it undertook over the study period.

HAK's ability to mobilise resources was initially very closely linked to Indonesia and limited Australian sources. Then its support came from a wider range of international sources and was highest during the UNTAET period, when it also had a very high level of input to various aspects of state building. As donor funding to NGOs fell, and in light of HAK's unwillingness to shift its own program directions to match aspirations of major US NGO and foundation donors, by late 2004 HAK was adjusting to lower funding levels, and trying to generate more of its own funds. Yet it was also still finding new donors willing to support its approach.

HAK had very strong relationships with a network of individuals from the CNRT, the church, students, women and other sectors of society prior to the 1999 ballot. In the new environment HAK was able to develop more extensive networks with new human rights NGOs and established community structures in the districts, the UN Human

Rights Office and related bodies, and to strengthen its international NGO relationships. Its relationships with the independent Timorese Government were good, particularly in terms of the relationships it had from the pre-ballot days, and it was widely recognised as having particular expertise to contribute.

It certainly appeared able to achieve outcomes during each phase of the tumultuous changes it went through. As the 2002 evaluation report said:

The overall conclusion of our assessment is that HAK has been able to influence the TL society in the implementation and enjoyment of human rights... it has succeeded in establishing the channels through which the information and awareness on human rights can be spread into the districts and the different sectors of society. As a genuinely TL institution it has integrated international standards with local values and opinions of the common people. HAK has succeeded in finding and using the entry points to influence national policy as well as attitudes in society (Marut and Meijer 2003:5).

HAK's major challenge was to manage the many expectations which had been generated for the organisation, and to focus its programs to match its resources.

## CHAPTER SEVEN

### **FOKUPERS: FORUM KOMMUNIKASI UNTUK PEREMPUAN TIMOR LORO SAE<sup>264</sup>**

In June 1996 an East Timorese woman participated in a workshop held in Soe, East Nusa Tenggara, where she met and heard stories from women from other parts of Indonesia, including West Papua and Nusa Tenggara Timor.<sup>265</sup> The woman returned to East Timor with the idea which had been discussed at that workshop, that women's health was closely linked to human rights. On her return she discussed this with others, and with support from friends at ETADEP, the newly-formed human rights NGO Yayasan HAK, and an Indonesian NGO, Pikul, gathered together a group of people interested to explore the issue further. In June 1997 this group, supported by the organisers of the Soe workshop, organised a workshop in Dili about women's health. Here the participants discovered that women had many problems, with complex and interconnected causes, many related to military violence, whose resolution could be summarized as 'the protection and strengthening of women's basic rights' (FOKUPERS 1999:8). This was seen as 'the kernel to decreasing problems, poverty and threats which mean that women are predisposed to poor health' (FOKUPERS 1999:8). As one participant explained, the workshop helped them come closer to each other and they developed a commitment to do something about the situation. Subsequently they held a number of group discussions to develop their plans (FOKUPERS 1999).

Seventeen people decided to form FOKUPERS as a result of that workshop. Thus on 15 July 1997 FOKUPERS was formed as a forum under the umbrella of Yayasan

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<sup>264</sup>Translation: East Timorese Women's Communication Forum.

<sup>265</sup> NTT is the Province of Indonesia which includes West Timor, the neighbouring Province of then Timor Timur (East Timor).

HAK<sup>266</sup>(FOKUPERS 1999). Their initial challenge was to learn more about the issues of women's health and human rights, so they spent the first six months studying and learning. In July-August 1997, with assistance from an Indonesian NGO partner of Oxfam's, Pikul, five of the women participated in a Women's Health and Human Rights Course in Kupang, West Timor, held as part of a workshop on Participatory Research organised by *Jaringan Kesehatan Perempuan Indonesia Timor* (JKPIT)—Network for East Indonesian Women's Health. There they learned from the experiences of other participants, especially about approaches to consciousness-raising, and were introduced to how to conduct participatory research. At the workshop, the five Timorese women identified those in East Timor whom they considered the most vulnerable: rape victims, war widows, women political prisoners and wives of political prisoners, and women working in the coffee plantations. FOKUPERS' primary vision was to support women who were suffering, and these were the groups they identified as most in need of help (FOKUPERS 1999:11-13).

With support from Oxfam and HAK they started to build up their staff. Initially only one woman was employed, then three, and later four by 1999. All the others worked voluntarily, whilst also being civil servants, NGO workers,<sup>267</sup> or students. Their early work focussed especially in Viqueque where, assisted by a local priest and nuns, they made contact with a village called Craras, known as the 'Village of Widows'. All the village men, as well as some women and children, had been killed at a brutal massacre in 1983, when the Indonesian military were trying to wipe out remaining supporters of FRETILIN. Disguised as church workers and conducting their meetings as prayer gatherings in chapels, the women realised the huge grief and trauma the widows were experiencing<sup>268</sup> (FOKUPERS 1999:14-15). They tried to support them by offering friendship and accompaniment. Initially they had no training in counselling and were somewhat overwhelmed by the challenge these women's experiences presented to

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<sup>266</sup> Respondents 45, 46.

<sup>267</sup> A number of the women who were volunteers in the early period came from Bia Hula, Yayasan HAK and ETADep, for example.

<sup>268</sup> Respondents 46, 47.

them, however they felt they could offer friendship.<sup>269</sup> Less difficult, but much appreciated, were their visits to prisons. Short 15-minute weekly visits which, to avoid arousing suspicion, they made to all prisoners, not just political ones, enabled them to slowly piece together stories and facilitate communication between prisoners and their families. They were trusted because one woman had herself been a political prisoner and others were also wives of prisoners. These women had been giving each other mutual support even before FOKUPERS started (FOKUPERS 1999:15-16).

It was too difficult to reach the women working in the coffee plantations, so they soon focussed only on the victims of the war and political prisoners and their wives.<sup>270</sup> They worked in small groups, just inviting women to share their stories, which they recorded, and befriending or accompanying them. For example prisoners' wives shared their experiences of trying to find where their husbands had been detained. They worked for some time with the separate groups of women, documenting their stories and supporting them as best they could. By 1998 they were ready to bring all the women together, and so held a three day workshop with the different groups, encouraging them to share their experiences. From this workshop, the women started to develop a plan of what they wanted to do. Some particularly wanted economic empowerment, so FOKUPERS began to facilitate help for them in agriculture, and monitored their progress. Also in 1998, FOKUPERS published its first book about the women's stories, carefully disguising who they were to protect them. The book is called 'Menilam Kamerau' ('Make the dry season lighter'). Throughout this period they did not talk about working for human rights; they just said they were working on women's health, but they saw that by helping these women they were making their contribution to the struggle for independence.<sup>271</sup>

By now, with help from an Indonesian NGO worker in Kupang supported by Community Aid Abroad (CAA), they had already developed links with a range of human rights organisations, among them Indonesian women's and human rights

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<sup>269</sup> Respondent 47.

<sup>270</sup> Respondent 49.

<sup>271</sup> Respondent 49.

NGOs, Amnesty International, and the United Nations Human Rights Commission, to whom they were passing information about human rights violations against women. In an important development, FOKUPERS invited the UN Special Rapporteur on Violence against Women to visit East Timor. She came in 1998, and met with the victims of the violence whom FOKUPERS had gathered together to testify to her. About 50 women from the different groups of victims testified, an event which FOKUPERS believes helped the international community become more aware about the violations going on in East Timor.<sup>272</sup> Other international visitors followed, to whom FOKUPERS provided information.<sup>273</sup> FOKUPERS had also become a member of JKPIIT, and began to participate in their annual meetings, where they were able to share their experiences with others doing similar work, and get further training. They also invited volunteers from Indonesia to come and work with them, to learn from their experience. The valuable initial support from HAK and Indonesian NGO Pikul continued as they built their skills.<sup>274</sup> In the districts they worked closely with local nuns, who constantly pushed the boundaries of what was possible in the difficult military environment.<sup>275</sup>

## **7.1 The late 1990s and the UNAMET period**

By late 1998 the women were becoming more courageous than ever. As one staff member commented, ‘we had HAK behind us and Justice and Peace Commission in front of us,’<sup>276</sup> so although they were afraid they acted courageously. In October one member of FOKUPERS and a representative of GERTAK, another East Timorese women’s NGO (since renamed ETWAVE), participated in a JKPIIT meeting in Jakarta which inspired them to hold a seminar in Dili on 25 November 1998, with other NGOs, on the theme ‘Perspectives of Timorese Women’. It involved speakers from the church,

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<sup>272</sup> Respondent 47.

<sup>273</sup> For example, the UK Deputy Foreign Minister at some time in 1999.

<sup>274</sup> Respondent 49.

<sup>275</sup> Respondent 46.

<sup>276</sup> Respondent 47; The Catholic organisation, Justice and Peace Commission, is another very active human rights NGO.



legal groups, and women themselves. With GERTAK, they also organised a silent procession, with banners about stopping the violence against women, at which GERTAK members gave out flowers to the passers by—a silent message for peace<sup>277</sup> (Wesley-Smith 1998, Gabrielson 2002). On International Human Rights Day in December 1998, FOKUPERS organised an exhibition of posters and photos about violence and human rights violations against women, and invited the Korem<sup>278</sup> military commander and other senior military staff. The commander came and acknowledged these violations were going on, and made a significant donation to FOKUPERS by buying a copy of their newsletter *Babadok* at one hundred times its usual price! They maintained their focus on education as well, using activities such as a quiz for junior high school students, to pass on information about women's health and women's rights.<sup>279</sup>

By November 1998 FOKUPERS had established a safe house in Dili in which women in need of support and counselling could come and stay. They told the military that it was for women who were sick. Previously women just stayed with FOKUPERS' staff in their homes, but it was becoming very hard to support all the victims as the violence worsened in late 1998 and early 1999, so the safe house offered a better way to deal with the situation. They still worked closely with HAK, who tended to focus on the legal aspects of each case, while FOKUPERS looked after the social and emotional needs of the women. Some of the women were so badly affected by their experiences that they were crazy, and the FOKUPERS women, who had received no formal training, had real difficulties coping with them. They did their best, but were sometimes really stressed by what they had taken on.<sup>280</sup> Structurally, the women had organised themselves into two Divisions, one dealing with counselling and assistance to women, another with dissemination of information and education about women's health and human rights. By now FOKUPERS was becoming known internationally, and participated in May-June 1999 in a speaking tour to Japan organised by the East

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<sup>277</sup> Respondent 47.

<sup>278</sup> Korem was the District Military Command.

<sup>279</sup> Respondent 47.

<sup>280</sup> Respondents 46, 49.

Timor Japan Coalition. After UNAMET arrived in East Timor in June 1999 some FOKUPERS women joined forces with friends from other NGOs, and formed four teams who went out to the districts to campaign for the CNRT and explain to people how to vote in the 30 August popular consultation. They also prepared radio broadcasts for the Catholic radio station about the ballot. Despite their close association with HAK, the FOKUPERS women did not become involved with the POSKO emergency activities in the pre-ballot period, but kept their focus on the women human rights victims.<sup>281</sup>

## **7.2 The aftermath of September 1999**

As a result of the conflict, the women were scattered; some fled to Dare, others to Indonesia, but by October-November 1999, with help from the CAA worker, they began to regroup. They started by having a three-day workshop for their own healing, and to enable them to plan their next steps. They decided to work separately from HAK, as there were so many people wanting to help the women victims of the violence, and HAK was very busy helping with refugee support (some of the women had already been helping HAK while they waited for others from FOKUPERS to return). So they began a six-month emergency program. They began to reach out to the women in the villages, starting in areas where they knew the violence had been particularly bad, for example in Suai, Liquica, and Maliana and around Ermera. They went house to house, to slowly gather information about what had happened and approached the victims, with the idea of offering friendship, being like a sister to them. Community reaction to such women victims was often to shun and isolate them, so this friendship was a first step in countering such local attitudes.<sup>282</sup> However, the FOKUPERS women soon realised that they did not have the skills to deal with the grief and trauma they were confronting, so, through a nun with the contacts, they were able to get help from experienced counsellors from the Philippines. They held a week-

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<sup>281</sup> Respondent 47, 49.

<sup>282</sup> Respondents 49, 47, 48.

long training workshop which provided some very valuable learning for them. Although they formed teams who went to all districts to provide counselling, they concentrated their support on three groups which they helped form in the centres most seriously affected—‘*Nove Nove*’ in Maliana, (women whose fathers or husbands had been killed on 9 September 1999), *Mate Restu* in Suai, and *Rate Laek* in Liquica. Apart from the trauma, the women needed economic help.<sup>283</sup>

The *Nove Nove* group in Maliana got some emergency funding from the UK’s Department for International Development (DFID)<sup>284</sup> to form a cooperative, and to provide some training in skills such as sewing, cooking etc.; the group also obtained three tractors, which they located in different *aldeas* (villages), to help with farming. *Rate Laek* developed a cooperative, a small restaurant and some traditional craft activities, and in Suai support was given to individuals for farming and kiosks. With the departure of the large UN presence after May 2002, the restaurant in Liquica closed. A 2002 evaluation of these activities was salutary though. It found some of the activities were not going well, because in the emergency period too much money had been provided without sufficient preparation. The women had become dependent on the aid funds, and it had changed their attitude. They just waited for funding from FOKUPERS, as they had no experience or training in how to run a business. For FOKUPERS, the impact of this period on the groups and themselves was negative. In Maliana, for example, the cooperative’s building remained, but the cooperative was not functioning in late 2004, although a group of about five of the women were renting the building from the group as a whole and made and sold clothes from it.<sup>285</sup>

During this early period, FOKUPERS developed three *Uma Feto*, or ‘women’s houses’ in Maliana, Suai and Liquica respectively, intended as places to provide support for women survivors. Each had a coordinator and office manager and one motor-bike for transport around the district, as well as support from a Dili-based staff member of FOKUPERS. The roles of the *Uma Feto* were to coordinate the women’s groups,

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<sup>283</sup> Respondents 46, 47 and 49.

<sup>284</sup> The UK’s official development cooperation agency.

<sup>285</sup> Respondents 46, 48.

provide training and education to women on issues of gender, domestic violence, health and human rights, and to support economic activities among women. The *Uma Feto* also provided mediation support to women experiencing domestic violence, coordinating with local leaders (*Chefe de Suco*) to get formal agreements signed by the perpetrators to prevent further violence. However, these *Uma Feto* were not as successful as had been hoped, for a range of reasons, partly to do with the inexperience and turnover of staff in those locations and their consequent lack of ability to respond to the problems women brought to them, and partly due to the difficulties of communication with Dili<sup>286</sup> (FOKUPERS 2003:9).

A review in late 2003, as part of a strategic planning process, made FOKUPERS realise that their approaches had been inadequate—they had been too ‘project based’ and they had not prepared the mostly illiterate women well enough to run their businesses, so the groups remained dependent on FOKUPERS. A subsequent organisational and institutional development process facilitated by FOKUPERS’ Dutch NGO funding partner, HIVOS, which involved consultation with groups FOKUPERS had helped, suggested a change of strategy in the future to assist the whole community where the group was based, rather than just the group. This was because sometimes the community was jealous if only the victims were assisted. In November 2003 the *Uma Feto* in Suai and Maliana closed, pending the development of a new approach. By late 2004 all the *Uma Feto* offices had closed, and *Uma Feto* was understood as a concept, rather than a structure. In the past, there was a tendency for inexperienced *Uma Feto* staff to wait for women to come to them. The new idea was for FOKUPERS staff to go out to women in the community and create an *Uma Feto* ‘space’ wherever women could be brought together. Only one staff member was employed in each district in 2004, and their job was to work with a range of community groups on advancing the situation of women. For example, there were now four groups FOKUPERS was assisting in Maliana, and two in Suai, doing handicraft and agriculture; and a new group in Liquica was focussed on agriculture, planting a variety of vegetables. The focus became community development, in the sense of helping women to define their

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<sup>286</sup> Respondent 46, 48.

needs and their problems, identify priorities, and link them to other organisations, such as government officers or NGOs working on water, sanitation or health. FOKUPERS was also supporting a newer group in Ermera. In this village, women requested FOKUPERS' help as they had many cases of women dying in childbirth, and a high rate of infant mortality. The area had no nurse, and though FOKUPERS had very few resources, they developed an educational approach to try to prevent this situation continuing.<sup>287</sup>

The thrust of all this new work was to encourage self-help, avoid dependency, and insist on local contributions to overcome the dependency mentality. However, this approach was difficult when major donors, such as USAID, gave groups a lot of materials without asking for any contribution. Some women would not join a FOKUPERS-organised group because they did not give them money, rather they encouraged them to work by themselves with what they had, and not to be dependent on the government or anyone else. FOKUPERS was also supporting women to advocate on their own behalf, and hoping to make them more self-reliant, although because government decision making was so centralised, often the advocacy had to be undertaken by FOKUPERS in Dili. FOKUPERS' early work with the survivors of some of the worst atrocities led them to join wider NGO campaigns for justice, which continued. But at the same time, their attention also turned to the opportunities for women in the process of forming the new nation<sup>288</sup>(FOKUPERS 2003:14).

### **7.3 Women in the new nation**

In February 2000 FOKUPERS reviewed its emergency work and developed a new strategy for the longer term. All their members participated in a workshop which led to the development of a Strategic Plan for 2000-2002 with four strategic aims:

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<sup>287</sup> Respondents 46, 50. The problems were that the pregnant women worked very hard and had no rest, they had very poor nutrition, and even though they had chickens and pigs which might provide protein, they never ate them as they were kept for the '*barlake*' (bride price).

<sup>288</sup> Respondent 46.

1. To ensure that women can live free from violence and those who become victims of violence have the opportunity to rebuild their lives
2. To ensure women's issues are recognised and women's interests are represented in decision making processes within the transition
3. To strengthen women's social, economic and cultural rights at community and national levels
4. To ensure democratic and transparent governance structure and mechanisms for FOKUPERS, as well as best-practice management procedures (Hunt 2001).

To carry out this plan, FOKUPERS was then structured into four divisions:

1. *Assistance*—which in turn had three sub-divisions: Investigation (in all districts); Counsellors (all of whom were trained); and a safe house or 'shelter' (in Dili, with space for ten women).
2. *Education and Training*—in particular to victims after counselling. They tried to empower the women through training on human rights, gender, violence, reproductive health, and later, voter and civic education.
3. *Advocacy*—they supported women's campaigning, lobbying and provided legal aid. HAK helped FOKUPERS with legal expertise.
4. *Administration* (Hunt 2001).

Thus, while FOKUPERS continued to support the women survivors in the three groups from Liquica, Maliana and Suai, the organisation simultaneously turned its attention to ways of getting women and women's issues considered in the structures and policies of the emerging nation. To do this it had to educate and mobilise women themselves, as well as work directly with those who held power at that time. The Advocacy Division of FOKUPERS was given good donor support, and played an important role from early 2000 onwards, largely through working as part of REDE and networking with other women's groups. FOKUPERS played a key role in organising the first ever East Timor Women's Congress in June 2000. The Coordinator of FOKUPERS at the time was trusted by the CNRT to bring together 15 women's organisations as *REDE* (East Timor Women's Network) in March 2000 to prepare for the Congress, which she subsequently chaired. This involved a series of district women's meetings, so that

women from across the nation could have input. Five hundred women from across East Timor then participated in the national gathering whose outcome was a '*Platform for Action for the Advancement of Women of Timor Lorosae*' (REDE Feto 2000). It highlighted a number of areas as of critical concern: poverty, law and order, reconciliation and justice, the culture of violence, decision making and institution-building. In particular the women highlighted the historical exclusion of women from the CNRT resistance structures as well as traditional power structures, and their continued marginalisation from the decision making structures of the emerging nation, including the National Council, which was seen as 'unrepresentative' and 'not consultative' (OPE 2002). The '*Platform for Action*' was widely distributed within and outside the government structures, and used by UNTAET's Gender Affairs Unit as a basis for policy development for the Transitional Government<sup>289</sup> (OPE 2002:73-74).

The next key focus of women's groups became getting women elected to the Constituent Assembly at the August 2001 ballot. One of the Women's Congress demands had been that women should hold 30 per cent of all places in the Transitional Government, so the women argued that this should apply to the Constituent Assembly. In March 2001 REDE had put a proposal to this effect to the National Council which was rejected, largely due to the opposition of the UN Electoral Assistance Division. In response, the angry women's groups protested in front of UNTAET's building. However, the UN ultimately put some affirmative action steps in place (Pires 2000). In May, the SRSB met leaders of political parties, 'to urge them to guarantee democratic principles of participation and place women in winnable positions on their party lists so they would be equally represented in the Constituent Assembly as well as incorporate women's concerns in to their party platforms' (OPE 2002:77). He provided an incentive of additional broadcast time for parties if at least 30 per cent of their candidates were women (Pires 2000).

As well as efforts to get political parties to place women in winnable positions on their party lists, FOKUPERS and other women's groups supported three independent

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<sup>289</sup> Respondent 69.

women candidates, among them its own Coordinator, ETWAVE's Coordinator, and another individual. There was considerable donor support for all this electoral work, which was led by the Gender Affairs Unit of UNTAET, UNIFEM and REDE. Training was given to 150 potential women candidates, representatives of political parties and other civil society groups. From these experiences a new women's organisation was formed, the 'Women's Caucus', whose focus became women's political representation. Special efforts were also made by the Independent Electoral Commission to ensure that women participated fully in the process of the elections, including as electoral workers (OPE 2002) and special efforts were made by the National Steering Committee for Civic Education to achieve 40 per cent women's participation in its education team and to utilise strategies to maximise women's access to information. Twelve of the 52-member education teams were from REDE, some four of them from FOKUPERS. The result of these efforts was that 27 per cent of the Constituent Assembly members were women. Women were also given some important positions in the newly-formed Second Transitional Government, three as Ministers or Vice Ministers, and two as Advisors to the Chief Minister. One of these was the former Coordinator of FOKUPERS who became the Adviser on Equality (OPE 2002).

NGOs were concerned over the extent to which people were going to be consulted about the Constitution which was to be drafted by the Constituent Assembly. FOKUPERS joined with HAK to form the Constitutional Education Working Team and present a report on community consultations to the Constituent Assembly, referred to in Chapter Six. Constitutional protection of gender equality was enshrined in Article 17 of the Constitution which states that, 'Women and men shall have the same rights and duties in all areas of family, political, economic, social and cultural life' (Democratic Republic of East Timor 2002). However, as the second Congress of East Timorese women held in July 2004 recognised, a great deal needs to be done for that to be realised.<sup>290</sup> FOKUPERS provided the Chief of the Steering Committee to plan and organise this Congress, which reviewed progress against the 2000 Platform for Action and set new goals for the forthcoming four years. Several FOKUPERS women were

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<sup>290</sup> Deklarasaun no Planu de Asaun Segundu Kongresu Nasional Feto Timor-Leste 2004-2008.



workshop facilitators, and according to REDE they worked hard in many aspects of the Congress, including providing transportation.<sup>291</sup>

In late 2004 FOKUPERS again become involved in the issue of women's representation and participation in the upcoming *Suco* elections. After training facilitated by Women's Caucus, using experienced Filipino trainers, FOKUPERS took responsibility for Maliana District, and committed to educate and encourage women in that district to play their part and make their views felt in the *Suco* election process. The *Suco* Councils each have two of the five seats designated for women.<sup>292</sup>

A key contact point in the Timor-Leste Government is the Office for Promotion of Equality (OPE), and FOKUPERS worked closely with that Office in a number of areas, notably on the domestic violence legislation. Soon after independence, the Government of Timor-Leste ratified the Convention to Eliminate All Forms of Discrimination Against Women (CEDAW) along with a number of other key human rights instruments, and in 2004 FOKUPERS was assisting the Office for the Promotion of Equality (OPE) to prepare the first national report to that body. In addition FOKUPERS helped identify women with potential to the OPE, which then enabled them to access opportunities and training. FOKUPERS also contributed to workshops and programs with other areas of the Government, facilitated by OPE. For example, they were involved with the Ministry of Education in curriculum development on gender and human rights as part of civic education; they have been involved in a week long workshop to undertake a gender analysis of the Sector Investment Program and report to donors their findings; they have been involved in a workshop on Women and Rural Development with UNIFEM, OPE and the women's political NGO, Caucus. The OPE works closely with both FOKUPERS and Caucus—promoting women's political participation in the case of the latter, and on education and advocacy on violence issues especially with FOKUPERS; the Adviser on the Promotion of Equality had endorsement from the Prime Minister himself to work with FOKUPERS on the

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<sup>291</sup> Respondent 70.

<sup>292</sup> Respondent 50 and see also *Babadok* Edition 23 July 2004.

Domestic Violence legislation. The trust between OPE and FOKUPERS enabled them to work together well to advance women's equality in East Timor.<sup>293</sup>

#### **7.4 Keeping the focus on violence**

While all this activity proceeded, FOKUPERS remained focused on its core concern, violence against women. The Assistance Division continued with individual and group counselling sessions, providing individual counselling to over 460 women and children, 584 children, and facilitating counselling of almost 1,000 people, mostly women, in 48 groups in all districts across East Timor between 2000 and 2003. They also played an important role in the work of the CAVR, counselling and preparing witnesses for CAVR hearings and activities, as well as providing their expertise to other NGOs, such as health NGO, *Pronto Atu Serbis* (PAS) and Timor Aid. Between 2000 and 2003 their Dili safe house provided sanctuary for 339 women and children, assisting them through counselling, education, building networks and using skills to develop economic activities. Women from the districts who needed intensive counselling and support were brought to Dili, so the safe house played an important role (FOKUPERS 2003:1-2). Funding for the safe house was a frequent problem, especially since UNICEF, which previously provided funding, decided it could only provide support to children. This stimulated the development of a special children's house, *Knua Hakiak*, which provided a safe place for the children and a child care centre for children of FOKUPERS' staff, volunteers and partner organisations while they were at work. *Knua Hakiak* initially served only eight children, but by late 2004 provided services to 25, and had become a centre for children's activities in its locality.<sup>294</sup>

This Division also supported many women involved in cases against perpetrators of domestic violence or rape (a total of 120 women were supported between 2000 and

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<sup>293</sup> Respondent 91.

<sup>294</sup> Respondent 46.

2003). It also assisted children who had been victims of incest. Wherever possible it helped resolve these cases through mediation, and/or monitored the processes of the court in instances where the court dealt with them. There were many problems the women faced in their work, among them poor court processes, perpetrators released without conditions, or without the victims' awareness, and the difficulty of bringing evidence. FOKUPERS also worked to inform about and advocate for laws to prevent violence. It created a data base of cases of violence, including rapes, murders, torture, and domestic violence, documenting 451 cases in a report on gender-based violence it published in 2002 (FOKUPERS 2003:2-3). FOKUPERS also produced and disseminated 40,000 copies of the book *Buibere* (Winters 1999), which recorded the results of a workshop in which 21 women gave accounts of their experiences of various forms of violence. An OPE report in early 2002 noted that FOKUPERS and ETWAVE were the main sources of information in the country on gender-based violence (OPE 2002:35). The prevalence of domestic violence initially surprised the women, who had previously focussed on military and political violence, but it became a significant community issue, thanks to their efforts, and the support of some key agencies and donors.

In early 2002 FOKUPERS began the task of getting domestic violence legislation drafted. They coordinated the team which was leading this work, and held widespread debates, seminars and discussions with the community and key players in the justice system and the church, as well as with survivors themselves in Dili, Liquica and Lospalos. In particular they tried to understand the experiences of the women who attempted to take cases to the court. They worked very closely with the OPE, and in October 2003 OPE and the legislative team presented the draft Bill to the Ministerial Board (FOKUPERS 2003:5).<sup>295</sup> They had support in their lobbying of MPs from the National Movement Against Violence (MNKV) which organised a special workshop about the Bill, and coordinated a lobbying session of Members of Parliament (de Araujo 2004). The Draft Bill was delayed in mid-2005 pending the finalisation of the

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<sup>295</sup> Respondent 50.

nation's overarching Penal Code, as the Minister for Justice wanted the Bill to be consistent with that Code.<sup>296</sup> This caused a considerable delay in the law being enacted.

Throughout the study period, FOKUPERS took opportunities to pursue advocacy for justice for victims of violence in the Indonesian time (Farsetta 2002), especially the women and children they worked with in Suai, Liquica and Maliana. They worked closely with other human rights NGOs on this, especially with HAK and the National Alliance for International Justice. For example, they met with Mary Robinson, then UN High Commissioner for Human Rights, in 2000 and 2002. On the latter occasion they presented her with a letter from women members of the victim groups, and urged a resolution of the justice issues from 1999. In late 2001 they joined with HAK and the international NGO Oxfam to research the demands of the victims for justice in the lead up to a major international seminar in Dili on the idea of an International Tribunal. They also helped the United Nations Serious Crimes Unit which carried out an investigation of a 1999 massacre in Oecusse; their role was to provide counselling support,<sup>297</sup> a role which they also played with the CAVR when it held hearings or obtained evidence from women.<sup>298</sup> In 2003 and 2004 they continued lobbying various senior UN officers in Timor-Leste about justice matters for the 1999 victims, but with little success (FOKUPERS 2003:4-6).<sup>299</sup>

Finally, at an operational level, FOKUPERS tried to work with the police and justice system to develop a set of Standard Operating Procedures for cases of violence against women and children, including a Code of Ethics for working with victims. They frequently received referrals from a variety of sources, including other NGOs, and police in the districts often sought their help. For example, women were often referred to FOKUPERS if they needed a safe house, but lack of transport facilities sometimes meant that the police transported victims and perpetrators together to Dili in the same vehicle. FOKUPERS had four cars, which enabled them to help, but there was a major

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<sup>296</sup> Respondent 49.

<sup>297</sup> Respondent 48.

<sup>298</sup> Respondent 93.

<sup>299</sup> Respondents 50, 48, 93.

cost to maintaining them. At the court in Dili, FOKUPERS also tried to be present to support and assist women giving evidence, and in 2004 had been providing a lawyer whom the women trusted to give them legal advice (FOKUPERS 2003:6-7).<sup>300</sup>

## **7.5 Education and awareness raising on women's rights**

Throughout the life of FOKUPERS the women emphasised the importance of raising women's awareness about human rights, especially women's rights and issues of gender violence. Although workshops and activities were held across the country, the greatest focus remained on the three districts where FOKUPERS was supporting groups of survivors. Initially the focus was just on women, but gradually they realised that for change to occur they needed to be talking to men as well, so education activities were designed for both (FOKUPERS 2003:7-9). FOKUPERS also used various forms of media to disseminate its message. Its own newsletter, *Babadok*, presented many of the issues, while it used radio to get similar concerns to a wider audience. From 2000-2002 the women broadcast on Radio UNTAET and Radio FALINTIL; in 2001 until 2003, they also broadcast on Radio Timor Kmanek (the Catholic Radio station). Each year they produced between 26-30 broadcasts on each of these radio stations. They produced a number of brochures on violence and human rights, and frequently worked with other organisations promoting a gender perspective, and providing information on gender violence, women's rights and women's health. In addition, they linked with organisations and networks in Timor-Leste and overseas, working on issues of gender violence, sexual exploitation, and women's human rights (FOKUPERS 2003:7-9). They were seen by the OPE as playing an important role in this educational and awareness raising work.<sup>301</sup>

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<sup>300</sup> Respondents 46, 50

<sup>301</sup> Respondent 91.

## **7.6 Strengthening FOKUPERS' own capacity**

FOKUPERS placed considerable emphasis on building staff capacity. In the early period rapid staff turnover was a constant problem; as fast as FOKUPERS could train women, they found higher paid or perhaps more prestigious jobs in other organisations. The lack of staff capacity and experience in the districts, coupled with the communication problems, contributed to some of the difficulties they experienced. Turnover of staff in the financial management area has also been quite difficult. Thus FOKUPERS had to expend a lot of effort training new staff all the time (FOKUPERS 2003:13-15). Some of the training they undertook internally, while for other support they drew on outside organisations. In a couple of cases staff took international study tours (e.g. to Indonesia, Malaysia) to witness and learn from the work of similar organisations. One staff member said that seeing the work of basic organising in Indonesia had been really very helpful. They worked hard to build up their staff's capacity to administer and manage the organisation in a professional way, and to learn from their early experience to improve their effectiveness (Hunt 2001).<sup>302</sup>

FOKUPERS engaged with a wide variety of official and NGO donors since late 1999, including UNICEF (from 2000-2003), UNFPA, UNHCR, Oxfam, CRS, IRC, Grassroots International, UNIFEM, The Asia Foundation, YWCA, Misereor (German NGO), and HIVOS (which has provided three year funding). International NGOs HIVOS and CRS have been working closely with FOKUPERS to help with organisational development. A process of organisational development initiated by FOKUPERS itself in 2003, which HIVOS supported, was seen as extremely useful. One staff member commented that a lot of the capacity building help had been very short-term; what was most needed was continuing support, as even when projects finish FOKUPERS' capacity still needs building towards greater sustainability; so many of the women were new to all these issues and there had been a lot of staff changes. Staff also commented that while they valued the training made available on

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<sup>302</sup> Respondent 69.

human rights and women, they also needed more focus on skills needed to run the organisation and help to develop systems and procedures.<sup>303</sup>

FOKUPERS was aware that organisational strengthening was still needed. For example, the board was not really functioning as it should: although it met six times in 2003, during 2004 it was becoming even more difficult to coordinate the busy schedules of board members to get them together for meetings, and it seemed they were not so clear about their role; however, they were consulted as need arose, often on a one to one basis. Staff management board or coordinator meetings, on the other hand, were held regularly, and a meeting was held at the end of each month for all staff to review their work, discuss problems or issues, coordinate activities, and plan for the future. A more thorough evaluation meeting was held every six months, with all staff reflecting on their work in each division, and making recommendations for changes in the next period. The end-of-year evaluation meeting also considered the efficiency with which FOKUPERS carried out its work, reviewed staff and reassigned them as required. The shared commitment to work together, support each other and work for the women of East Timor was one of the key factors which had kept them going through some difficult times (FOKUPERS 2003:10-11).<sup>304</sup>

By late 2003 it was time for FOKUPERS to renew its strategic planning, and it did this through a four-day workshop facilitated by friends from an Indonesian NGO network, and attended by all staff, board members, and work partners, 27 people in all. For many of the FOKUPERS staff this was their first experience of such an exercise, so it was slow, but people learned a great deal, and the outcome was a new mission and vision. The Vision was: ‘To achieve a world where there is gender justice and equality between men and women’, and the Mission: ‘To build power through policy advocacy and assistance models’ (FOKUPERS 2003:11). The strategic challenges identified related to developing FOKUPERS as an organisation, how to create a whole government system for dealing with domestic violence, and how to design an

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<sup>303</sup> Respondents 48, 49 and 50 and fieldnotes from FOKUPERS’ Information Board.

<sup>304</sup> Respondents 46, 49.

assistance model to strengthen women who had been victims of violence. The workshop also identified the values which guided FOKUPERS, among them democracy, participation, justice, equality, accountability, and the ideals of human rights. A follow up three-day Program Planning Workshop was held about a month later, with groups working on three areas: assistance, advocacy and institutional development, sharing with each other and rearranging some responsibilities among the Divisions. This meeting really reinforced the need to shift from an approach of ‘giving’ to one of ‘empowering’ through community based organising activities (FOKUPERS 2003:11-12). The Divisional structure then involved three major Divisions: Assistance (including the Safe House), Advocacy and Basic Organising (through the *Uma Feto*), plus an Administration Section and a new section to focus on Fundraising. A new German volunteer had joined FOKUPERS’ Assistance Division in 2004 to work with them for the next three years.

The HIVOS-supported review activity undertaken in 2003, known as ‘ODID’, was very important to FOKUPERS. This had involved a consultation with members of the communities which had been assisted by and worked with FOKUPERS to ascertain their situation. It also included consultation with all staff to ascertain their understanding of their responsibilities and how these connected to the situation of the people FOKUPERS was trying to help, and to the vision and mission of the organisation. It was rather a shock to FOKUPERS that no-one in the communities raised domestic violence as their primary concern. Rather, their major concerns were related to the local economy, to lack of marketing and transportation, and issues facing women heads of households, older women and children. People felt FOKUPERS should work directly in the villages, help the large number of cases in the Eastern part of Timor-Leste, and teach literacy. Clearly, FOKUPERS was not well equipped to respond to all these needs, but by using an empowerment approach to its work hoped to help women find their own solutions. FOKUPERS believed that rural people really needed local NGOs in their districts, but there was not currently sufficient capacity there (FOKUPERS 2003:15).



## 7.7 Challenges

Throughout the period since the 1999 emergency, FOKUPERS faced and overcame many challenges. By late 2004 they saw the major ones as the heavy workload and enormous expectations placed on them, to support the women who needed help, and to take on roles which other institutions expected of them (e.g. the police, victim's families etc.); difficulties in gaining cooperation and coordination with other institutions involved in the cases; the uneven capacity of FOKUPERS' own staff, so that certain staff carried a very heavy burden of work, and staff turnover had been high for a variety of reasons (e.g. taking other jobs, health factors, and private factors); in addition they did not have staff with strong English or Portuguese language skills which were needed for international relations and formal government correspondence and interaction; requests for help from other organisations which were important for networking but took up valuable time; and the constant stream of national and international visitors wanting information (including this researcher!). Other challenges related to funding, especially of the Safe House for women, which was partly related to donor reluctance to fund such ongoing needs but also related to FOKUPERS' limited ability to prepare proposals and do fundraising with donors<sup>305</sup> (FOKUPERS 2003:14-16). Nor did FOKUPERS have the kind of capacity which an NGO like the Alola Foundation, headed by the then First Lady of East Timor, had to attract and support international volunteers to help. Whilst the First Lady used her networks of support to help FOKUPERS raise short-term funding to keep the Safe House open in early 2004,<sup>306</sup> FOKUPERS seemed to be finding it hard to raise such funds themselves.

The big challenges FOKUPERS saw for the future were to shift the organisational paradigm towards an empowerment approach, to overcome the dependency they experienced among the women in the districts, to get the government system better resourced and able to take on the issue of gender violence more effectively, and to

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<sup>305</sup> Respondents 48, 46, 91.

<sup>306</sup> Kirsty Sword Gusmao of the Alola Foundation raised funds specifically for FOKUPERS in Australia during 2004: personal observation. See also *Babadok*, Edition 25 May 2004, p.2.

build their organisational and staff capacity to be able to do all this successfully (FOKUPERS 2003:14-16).

## **7.8 Conclusion**

FOKUPERS' vision evolved and deepened but remained concerned with relieving women's suffering, particularly from the violence they experienced, whether associated with militarisation or household violence. The latest wording of the vision probably drew on their interaction with the international community, but also reflected ideas held by the women of FOKUPERS since they began. Their strategies shifted to reflect changing circumstances, but the dual focus on practical assistance and advocacy has been there from the start. FOKUPERS struggled to reconcile the scope of its staff's range of expertise with women's expressed needs for economic development strategies. FOKUPERS claimed no particular expertise in that area, yet knew women needed such help. FOKUPERS' recognition of the need for its own institutional development led to it making concerted efforts to get FOKUPERS' staff and volunteers trained to enable the organisation to perform its roles. It made enormous efforts in this area, with a great deal of emphasis on building a team of women with sufficient skills to run the programs. It used reviews, internal and external training opportunities, international visits and in-house volunteers to develop its capacity, but recognised that it needed long term consistent support with training and with organisational development, such as development of policies and systems. The constant turnover of trained staff meant that the process of capacity development had to be a continuing one, and the focus had to be not only on issues of gender violence and women's rights, but on organisational management as well.

FOKUPERS managed to mobilise significant financial resources but had to do this through often relatively short-term project arrangements with a relatively wide range of donors.<sup>307</sup> Those few which have made three-year commitments were very much

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<sup>307</sup> FOKUPERS had long term support from NGOs: HIVOS, Oxfam, CRS. Other shorter term funding

appreciated by FOKUPERS, but timeliness of funding has sometimes been an issue.<sup>308</sup> The decision by UNICEF to focus its funding only on children meant that the women's shelter's funding was very uncertain and short-term for some time. In terms of external relations, FOKUPERS built links with other NGOs and UN bodies from the start, and has continued to do that more easily since late 1999. Its links with other NGOs in Timor-Leste, both national and international, were relatively strong, the local ones particularly through the REDE Feto network, in which FOKUPERS played a key role. It also retained a strong relationship with HAK, and the two organisations have worked together on issues relating to legal and human rights matters, including justice for the victims of serious human rights violations. While FOKUPERS has drawn on the experience of international NGOs such as HIVOS, Oxfam and CRS, it also drew on other 'southern' NGOs for support or training, especially from the Philippines and Indonesia. It had good relations with the Gender Unit of UNTAET and with sections of the new Timor-Leste Government, especially the Office for Promotion of Equality. Its ability to achieve outcomes was evident in quantitative terms, in relation to the number of cases supported and women and children assisted, although it struggled with the magnitude of the demands it faced given its capacity. Its advocacy work appeared relatively successful, but these were still early days in terms of achieving its vision of a properly functioning system for victims of violence.

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was from a large number of UN and other donors, varying in number at any time, according to projects or activities supported (see Section 7.6).

<sup>308</sup> Respondent 46.

## CHAPTER EIGHT

### TIMOR AID AND SAHE

The two NGOs which are the subject of this chapter began operating outside the territory which is now Timor-Leste. Both ran early activities in, or from, Jakarta, and were only able to develop their work inside Timor-Leste fully after September 1999 when they could function openly. Timor Aid operated initially from Darwin and was started by Timorese political exiles and their supporters, whereas SAHE was initiated by Timorese students in Jakarta. Their organisational trajectories after 1999 were, however, very different.

#### 8.1 Timor Aid

Timor Aid had its origins with Timorese activists linked to the resistance movement who were living in Australia and Jakarta. In 1996 a group of them began the East Timor International Support Centre (ETISC) in Darwin, Australia. Since 1990 members of this group had run the CNRM office in Darwin, but ETISC was a political advocacy organisation to serve the broader post CNRM-resistance in their struggle for independence. They also had a representative in Jakarta.<sup>309</sup> With the impending announcement in January 1999 of the referendum, they sensed that it was time to support the resistance in new ways, not only through advocacy, but through development activities. Recognising that they needed a humanitarian organisation to make a tangible difference inside East Timor, in 1998 they formed Timor Aid with an office in Darwin. However, because of difficulties gaining registration in the Northern

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<sup>309</sup> Respondent 82. Field notes from Timor Aid Open Day, speech by Respondent 82. ETISC was one of the main channels for financial support of FALINTIL, the Timorese resistance in general, and Xanana Gusmao in Cipinang Prison. They supported Jose Ramos Horta's diplomatic work overseas. They also provided funding for the students uprising in Jakarta against the Suharto regime, which finally collapsed, and Indonesian NGOs supporting Timor, such as ELSAM, SOLIDAMOR and INFIGHT.

Territory they registered the organisation in Victoria as a nonprofit, membership organisation; shortly afterwards they also arranged registration in Indonesia as Yayasan Timor Aid. The latter became the ‘project-implementing arm’ for the organisation in East Timor (Timor Aid 2004a).

In January 1999 they recruited a local Timorese development worker who had been working with an international NGO in East Timor to be the Executive Director of Yayasan Timor Aid, and opened a small office in Dili. The organisation had little money, but he gathered together a total of five staff who moved around the country making small contributions to communities for things such as fishing nets, motors for fishing boats, agricultural tools and equipment, school bags, support to orphanages etc. In total they supported over 100 small projects before the ballot, and provided training and some scholarships for study in Indonesia.<sup>310</sup> Timor Aid’s staff also provided food relief to IDPs during the violent period in the lead up to the ballot. To carry out these development and relief activities they had a network of people across East Timor connected to the resistance and FALINTIL through whom they worked. They also supported some projects in West Timor, consciously focussing beyond East Timor alone to protect the organisation politically, as the work inside East Timor was dangerous<sup>311</sup> (Timor Aid 2004a:3). Also in January 1999, the East Timor Training Centre (CeTTiL) opened in Jakarta as a project of ETISC, funded through its Darwin office, and began training Timorese students in English, Portuguese and computer skills (Timor Aid 2004a:8). The Centre operated in Jakarta until September of that year, when it had to close due to the political situation. However, with some 500 students each carrying one item such as a chair or computer back into Timor, this Centre transferred its operations and reopened in December 1999 in Becora, Dili.<sup>312</sup> The former Director of that Centre became the Deputy CEO of Timor Aid in Dili.<sup>313</sup> Funding support for all these activities came from churches, youth and community

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<sup>310</sup> Respondents 82, 83.

<sup>311</sup> Respondents 82, 83.

<sup>312</sup> Respondents 82, 83.

<sup>313</sup> Respondent 83.

groups in Australia, North America and Europe, that had been mobilised by key exiles.<sup>314</sup>

### **8.1.1 After the ballot**

During the violence following the August 1999 ballot, the Timor Aid office in Dili along with all its records and equipment, was destroyed. But the staff survived, and quickly joined by colleagues who had previously worked with ETISC, and with huge support from the international solidarity movement, played a critical role in the emergency response. The Darwin office became a focal point for international solidarity, support and information, and a 'Mercy Ship' full of humanitarian supplies left Australia very quickly after the emergency, mobilised by Australian activists and the Australian Foundation for Asia and the Pacific (AFAP) a Sydney based Australian NGO. AFAP had formed a relationship with Timor Aid's Darwin president as early as 1997, and in 1998 had provided some funds for its early work inside Timor.<sup>315</sup> As the emergency erupted in September 1999, AFAP and Timor Aid organised a meeting in Sydney and with support from the Portuguese community there and international NGOs, the barge was immediately commissioned.<sup>316</sup> Its presence in Dili on 29 September 1999, loaded with 300 tons of food, other emergency supplies, and a medical team, soon marked Timor Aid out as a local organisation with some capacity at a time when little else was functioning. It was only a few days before the barge arrived that contact was made with the Timor Aid staff inside Timor. The office was reopened in Dili on September 27 and Timor Aid staff from Darwin and Dili quickly organised transportation, personnel and a warehouse; there were many people to help unload the ship and guard the warehouse, and plenty of local support to get the goods out to the districts very quickly.<sup>317</sup>

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<sup>314</sup> Respondent 82

<sup>315</sup> Respondent 14

<sup>316</sup> Respondent 82

<sup>317</sup> Respondent 82. Field notes from Timor Aid Open Day Speech by Respondent 82. Timor Aid paid people a daily rate in Indonesian Rupiah, TA's then President (who later became CEO) bought petrol or the trucks from the Indonesian military through the fences of the Port of Dili. Soldiers were waiting for their ships to embark and were selling whatever could be sold before the final departure

During the emergency period Timor Aid, largely with the contract management capacity of key AFAP staff on the ground, attracted a large number of donors, undertook a diverse range of projects and grew very rapidly. Relations between the CEO of Darwin's Timor Aid, now in Timor, and the original Timorese local director were difficult, and by November the latter had left, gaining a job with a bilateral donor.<sup>318</sup> Timor Aid became an implementing partner for UNHCR's shelter program in five districts (Viqueque, Same, Suai, Ainaro and Oecusse), with funding through AFAP, providing shelter to some 33,800 families<sup>319</sup> (Timor Aid 2004a:8). It also undertook some small Quick Impact Projects especially relating to infrastructure—building refurbishment, about 60 kilometres of road maintenance to enable WFP food distributions to occur in certain districts, as well as irrigation systems, electricity supply and a hospital. Relations with UNHCR were fraught with difficulties, partly caused by the rapid turnover of UNHCR staff, partly by the inexperience of Timor Aid and its limited financial capacity. It was also difficult for Timor Aid to manage community expectations to implement medium and long term projects, as they were simply delivering shelter kits to lists of households provided to UNHCR by the church or the CNRT, and there were problems in some communities about who received aid and who did not. Equally, the sheer logistical difficulties were very challenging; many places were badly destroyed, roads damaged and isolated areas were hard to reach.<sup>320</sup> In addition, in partnership with UNICEF, Timor Aid re-roofed 15 primary schools in two districts and, with funds raised from School Aid and AFAP, complemented this by repairing walls with traditional materials, and providing desks and other school supplies (School Aid 2001).

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<sup>318</sup> Respondent 14.

<sup>319</sup> Respondent 82. The shelter kits involved enormous logistical operations. Timor Aid implemented some 60 per cent of UNHCR Emergency Shelter projects including reconstruction of public market places in the districts Timor Aid was operating. The projects involved unloading barges and helicopters of shelter material i.e. cement, timber, zincs, tents, etc in the five districts before distribution, and managing 50 trucks and five warehouses on a 24 hours per day, seven days a week basis.

<sup>320</sup> Respondent 82.

Timor Aid also played a role in health service provision in the emergency period, assisting the establishment and funding of four health clinics, in Bairo Pite, Becora and Batugade (all in Dili), and in the District of Ainaro, and supporting their operation until the end of 2001. With the support of the St John's Ambulance Services from Queensland, Victoria, and NSW, Timor Aid provided an ambulance service until June 2001, when this was handed over to the ETTA Ministry of Health. Timor Aid worked closely with the church because it was the only organisation which had a structure that reached to the people.<sup>321</sup>

In December 1999 the relocation of the East Timor Training Centre into Dili under Timor Aid's auspices, enabled Timor Aid to provide courses to help Timorese young people to gain skills necessary to get jobs in the changed environment (Timor Aid 2004c).<sup>322</sup> Timor Aid also ran a special eight week course in languages and computer skills for 500 students in August-September 2000, a special program for former FALINTIL fighters to help them get jobs, and Tetum language courses for foreigners (which had over 300 graduates). Timor Aid also managed a scholarship fund, funded by STATOIL, the Norwegian State Oil Company (Timor Aid 2004a: 9)<sup>323</sup> and on-the-job training for 223 students whose tertiary studies in Indonesia had been interrupted by the ballot and its aftermath, enabling them to complete their studies and prepare themselves for work in East Timor. Eventually, as funds ran out, the Training Centre was closed.<sup>324</sup>

Timor Aid had grown from five staff in mid-1999 to 420 in 2000, some 90 per cent of whom were Timorese; the rest were expatriates from various parts of the world.<sup>325</sup> It was by far the largest local NGO, and had very significant donor support from diverse

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<sup>321</sup> Respondents 83,82.

<sup>322</sup> Respondent 83.

<sup>323</sup> Respondent 82. The scholarship fund was funded prior to the ballot, after the Nobel Peace Prize was awarded to Bishop Belo and Dr Jose Ramos Horta.

<sup>324</sup> Respondent 82.

<sup>325</sup> Respondent 82. Through this early period from late 1999 through the Year 2000 Timor Aid employed a total of about 600 staff, operating in six districts, of whom around 50 were foreigners. Only 20 of the latter were paid (with the UNHCR funds); the rest were volunteers, including Australian doctors and ambulance officers.



international sources. One factor in the support for Timor Aid is thought to be the fact that, unlike other local organisations, it had a website before the 1999 crisis and so it very quickly became known internationally.<sup>326</sup> The English and other language skills of the former exiles were also undoubtedly valuable. It was also seen by donors as knowing the country, and importantly the local language and it appeared to have the capacity. Indeed, it drew on its extensive ETISC base and experience, and its investment in people through the East Timor Training Centre (CeTTiL).<sup>327</sup>

Despite this, it did not have the administrative or management systems it needed to cope with the rapid growth and it had enormous problems, in part due to the influx of international volunteers, many of whom were recruited from activist backgrounds and did not necessarily have the right skills for project management. Early on a group of expatriates did much of the organisational management. The place was riven with conflicts among the international staff group and with the (Darwin) CEO of Timor Aid, whose management style only exacerbated the difficulties.<sup>328</sup> As one person said, ‘there were too many internationals there way too long’, and with English as the main language between them, the Timorese staff were often excluded from important communication.<sup>329</sup> Many of the latter were also unused to the fast pace of work, and may have resented the internationals’ hard-driven approach.<sup>330</sup>

Timor Aid’s early record keeping was poor, its personnel records incomplete, essential information disappeared as short-term international volunteers left, taking their personal laptops with them, and money hand carried from Darwin was not properly recorded. There were big disparities between the incomes of some expatriates and local staff which also caused tensions. Such rapid growth in the difficult post crisis circumstances was inevitably going to cause problems. AFAP later recognised that its own capacity to attract contracts, which caused the rapid growth, was the real

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<sup>326</sup> Respondent 83.

<sup>327</sup> Respondent 82.

<sup>328</sup> Respondent 18.

<sup>329</sup> Respondent 14.

<sup>330</sup> Respondents 82,18.

problem.<sup>331</sup> This growth also caused jealousies, among both local and international NGOs, who saw Timor Aid as a major competitor for funding.<sup>332</sup> In fact, after the emergency, Timor Aid drew limited funds from in-country donors, such as UNICEF and UNHCR, and flourished because of outside support from the international networks in which they had become known (Timor Aid 2004: 32-35).

Despite the difficulties, Timor Aid continued to expand its activities. In September 2000 a Timor Aid fund, financed largely by US\$66,000 from Jose Ramos Horta's Nobel Peace Prize, was established to provide small loans to generate economic activities through establishing and strengthening small businesses and providing jobs, particularly as the emergency programs phased out at the end of the year (Timor Aid 2004a: 32-35). Timor Aid also took a leading role in organising a significant conference on Sustainable Development in East Timor in February 2001, with support from international volunteers and some 10 different donors, including multilateral, bilateral and NGO agencies (Sustainable Development and the Environment in East Timor 2001, Timor Aid 2004: 9). This was a significant event, which brought experts in sustainable development to Timor and got people thinking about natural resources and approaches to development for the future.

Timor Aid also undertook programs for women, training them in counselling and therapy for torture and trauma survivors, basic health education, Tetum literacy and income generation through traditional weaving and handicrafts<sup>333</sup> (Timor Aid 2003:2). Another early project involved supporting the restoration of fishing through two boat-building training projects funded by AusAID and the Government of Iceland, which subsequently became the subject of some controversy over allegations about mishandling of the funds. Timor Aid denied these allegations,<sup>334</sup> and operated three other projects related to fishing, two to help with preservation by salting (in Oecusse),

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<sup>331</sup> Respondent 14.

<sup>332</sup> Respondent 82.

<sup>333</sup> Field notes from Timor Aid Open Day.

<sup>334</sup> The local manager of the boat building project had actually misappropriated most of the boat building equipment but after Timor Aid took him to court he was ordered to return the stolen material. Timor Aid was able to retrieve almost everything which had gone missing (information provided by respondent 82).

one involving distribution of fishing gear, the other two related to training marine mechanics and marine engine survey (Timor Aid 2004b). The idea was to try to restore the fisheries industry, and develop a fisheries unit for the nation as one strategy for reducing poverty and generating income for East Timor from the rich marine resources available. From its early days Timor Aid also developed a welfare program for the very poor, aiming particularly to help disabled people, orphans,<sup>335</sup> street children, and school hostels for rural youth. This involved working closely with the various orders of nuns operating in East Timor who generally provide such services<sup>336</sup> (Timor Aid 2004c).

### **8.1.2 Changes in the organisation**

Late in 1999 Timor Aid had reconstituted itself as an East Timorese NGO, with a structure involving five founding board members, two of whom were exiled activists, the other three senior people who had been inside the country, now a Member of Parliament, a leader of the Protestant church and a surgeon respectively. Though the Australian office remained open, the Jakarta operation closed and the locus of activity was East Timor (Timor Aid 2004a:5). In early September 2001 Timor Aid began dramatically downsizing as its shelter project came to an end in mid-September, and a number of other projects had run out of funds (Timor Aid 2001). Part of the reason for this was delays in payment from UNHCR, which had caused Timor Aid to ‘borrow’ from other projects to finance the shelter work. Timor Aid faced a serious cash crisis.<sup>337</sup> The statement announcing the downsizing explained the reasons for the redundancies, the terms under which they would occur, and noted that in line with the organisation’s Timorisation policy, the CEO’s role would soon be taken over by a Timorese person, who remains its Director, and that she would be supported by ‘a few expatriate professionals’(Timor Aid 2001).

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<sup>335</sup> Orphanages in East Timor take children who have lost one or both parent(s), or whose parent(s) cannot afford to look after them.

<sup>336</sup> Field Notes from Timor Aid Open Day.

<sup>337</sup> Respondent 82.

The change of Director and implementation of the Timorisation policy was a turning point for the organisation. Timor Aid reduced from over 300 staff to around 45 by October 2001. At this stage, in addition to the main office in Dili, Timor Aid had five district offices, in Viqueque, Manufahi, Ainaro, Covalima and Oecussi (Timor Aid 2004c). The Darwin office was also closed in early 2002 and all resources were focussed in East Timor.<sup>338</sup> The much smaller Timor Aid had to seriously think about what programs it wanted to continue and how to rebuild. In this process of internal review and redirection an international volunteer played an important role. It was clear by then that in the early period Timor Aid had taken whatever money donors had offered and embraced an enormous range of tasks. They had been reactive, shaped by donor funding priorities, and now had to gain greater control of the directions they wanted to take.<sup>339</sup> They were gradually doing this at the end of the study period.

### **8.1.3 From emergency to development projects**

Between 2001 and 2004 Timor Aid managed and completed 34 different development projects, which could be grouped into different sectors: fisheries (7), health (6), capacity building (10) income generation through weaving (3), infrastructure/rehabilitation (6), and two miscellaneous projects (the Sustainable Development Conference already referred to, and a Photographic Archive Project). Some of these, such as the fisheries projects and the health work, have already been described. They generally began during the emergency period, but continued beyond it and were only completed after the end of 2000. The six infrastructure/rehabilitation projects (the UNHCR shelter, road and youth centre rehabilitation, school and church roofing and irrigation projects) also began in the emergency phase but were not completed when that phase formally ended (Timor Aid 2004b).

By late 2004, Timor Aid had some 11 major donors for around 12 projects and was gaining greater focus in its work. Most of these projects were in some way building on

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<sup>338</sup> Field notes from Timor Aid Open Day.

<sup>339</sup> Respondent 82.

the work undertaken in the previous four years. Only one of these projects was supported by three official donors based in East Timor. All the others (apart from the funds for micro-credit provided by the Nobel Prize) were supported by international NGOs or official donors in Europe and Australia who had no permanent presence there (Timor Aid 2004a and 2004b).

The following outlines some of the major areas in which Timor Aid had been, and was continuing to work. There were three major groupings of activity which could be discerned: capacity building, civic education and poverty reduction, as well as a number of specific activities which reflected earlier interests, such as disability and social welfare.

### *Capacity Building*

Many of the projects which Timor Aid supported were what it described as ‘capacity building’ activities. These included Tetum literacy work, capacity building of Timor Aid staff in Dili and the districts, as well as NGO staff and community organisations in four districts. Timor Aid’s effort to promote Tetum language has been significant, initially working with an expatriate linguist, and more recently with the official National Institute of Linguistics (INL) which he now directs. Timor Aid had published about 20 Tetum books by late 2004, and around 12 of these were being supplied free to all primary and high schools in every district, as well as universities and the Agriculture Ministry. Timor Aid was also responsible for gaining the funds to enable the INL to develop an approved orthography for Tetum,<sup>340</sup> and then to offer training related to it.<sup>341</sup> The use of the Tetum language reflected a strong nationalist statement, as during the Indonesian occupation Tetum was only able to be used under the protection of the church through a Tetum mass. Indonesian language was mandatory elsewhere. Timor Aid believes that language is the most powerful symbol of national identity, and this idea was, and remains, the driving force behind this project.

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<sup>340</sup> The Council of Ministers approved this orthography in April 2004.

<sup>341</sup> Respondent 83.

In early 2002, with support from German NGO Bread for the World, Timor Aid began a two year capacity building project primarily for its staff (some training was also available to other NGOs). This approach was adopted because Timor Aid realised that although they were invited to a lot of workshops and training, these did not match the skills they needed. They needed to do their own capacity development, based on a proper assessment of their actual needs. The program initially provided two expatriate counterparts along with funds for internal and external training in a wide range of essential skills, such as computer skills, English language, project management, accounting and gender issues. One expatriate left after three months but the other remained with Timor Aid for three years working on a local salary. She worked on a daily basis with two key local Timor Aid staff counterparts and was responsible to pass on her knowledge in all areas of project management, proposal and report writing, financial management etc. She was available to work with the Timor Aid staff on any problems they encountered in their work—it was on-the-job mentoring, which was seen as a very successful approach, attributed largely to her qualities and abilities to work with Timorese people in an empowering way. English language training continued with the goal of enabling staff to write reports in English (in late 2004 they were written in Tetum or Indonesian and translated). The Timorese staff were expected to remain with Timor Aid for at least two years and apply what they had learned. Gradually Timor Aid was developing policies, such as its personnel policy, and management guidelines; and it had in place management processes, such as a weekly Management Committee involving the Director and the Heads of the Departments. All the managers were local, and only the textiles adviser was a '*malai*'<sup>342</sup> who had lived in East Timor since she was a child.<sup>343</sup> Other support was provided by a staff member with financial expertise from the AFAP who spent lengthy periods during regular visits mentoring staff in financial management.<sup>344</sup>

As well as capacity building for Timor Aid's Dili-based staff, the organisation also mobilised funds to strengthen its district staff, NGO partners and community groups in

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<sup>342</sup> '*Malai*' is a Timorese word for foreigner.

<sup>343</sup> Respondent 82.

<sup>344</sup> Respondent 14.

four districts (Dili, Oecussi, Manufahi and Covalima). It implemented at least four significant capacity building projects.<sup>345</sup> Several of these projects were seen as complementary—focussed on district level capacity building of Timor Aid staff, local NGOs and community based organisations in those districts. The initial idea was to train 24 East Timorese Development Officers (12 of whom would be Timor Aid staff, the rest from other organisations), using a volunteer trainer. The numbers increased to 55 altogether in later phases. The training was designed to cover a range of communication, participatory methodology and team management skills, as well as issues of needs analysis, project design, project cycle management, livelihood issues etc. The last project focused on more specialised skills in administrative and technical areas as well as language and information technology (Timor Aid 2004a: 11-14 and 26-30).

Timor Aid found that sending staff out to courses provided by others was useful when specialised equipment and resources which were not available internally were needed, but the quality of the external training varied. Internal training, though a little more expensive, achieved much better attendance rates and the quality was considered to be higher.<sup>346</sup> Altogether some 45 Timor Aid people took part in Timor Aid sponsored computer classes, 40 in English and 8 in Portuguese classes. Timor Aid was trying to create a pool of Timorese trainers to reduce reliance on foreign consultants. Altogether, over a four-year period, Timor Aid provided training to almost 1,000 people, with the largest numbers trained in health education (228), trauma healing (200) and Tetum orthography and grammar (110). Smaller numbers were trained in various aspects of project development and management, as well as specific skills, like book-keeping and weaving (Timor Aid 2004a: 47).

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<sup>345</sup> The first of these was funded by Just World Partners and DFID, running from October 2000 - May 2004; the second, from July 2001-June 2003, funded by Bread for the World; another project, funded by Fastenopfer (a Swiss organisation) from Nov 2002-Dec 2003; the fourth, a continuation of the District Strengthening by Fastenopfer from 1 June 2004-1 June 2005; and the fifth, a far smaller project funded by an Austrian organisation, running from June 2004-June 2006.

<sup>346</sup> Respondent 82.

### *Civic education and youth civic education*

Timor Aid identified the importance of working with the young people of East Timor as a high priority to build a truly democratic nation. They were doing this especially through two civic education projects—one working directly with the Education Ministry the other with youth and youth organisations. The major Civic Education Project, working closely with the Ministry of Education and the National Civic Education Commission, began in October 2003. This three year project, supported by the Belgian Government, was intended to design a civic education curriculum for secondary schools to be approved and used by the Ministry of Education as a national syllabus. A Working Group comprising representatives from Timor Aid, the Government, national and international NGOs such as HAK, East Timor Study Group, the National Democratic Institute (USA), and The Asia Foundation (USA) was guiding the project. The project allowed for a process of development of this curriculum, advocacy for its adoption, and activities to promote greater awareness among young people about democratic processes in the new nation. By late 2004 the first phase, the organisation of a National Civic Education Workshop, had been completed. The workshop involved around 40 people with interests and expertise in civic education, among them representatives from the National Commission of Civic Education, the Ministry of Education, international organisations, civic education teachers and people concerned with civic education from each district. This workshop assessed what materials already existed, and developed the approach to the program, including the draft program and its methodology, how to select teachers for the trials, and how to monitor and evaluate the process. The next phase of the project involved Timor Aid supporting the trialling of the curriculum by around 60 teachers in six districts, which would then be assessed by another national workshop in mid-2005. Timor Aid helped the teachers, organised district meetings to enable them to compare experiences, and later in the project planned to organise two ‘Youth Festivals of Democracy’ to give young people a chance to air their views on citizenship and democracy<sup>347</sup>(Timor Aid 2004a:15-18).

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<sup>347</sup> Respondent 83.



DFID also made major funding available through the INGO Just World Partners for the Youth Civic Education program to operate in the same six districts, including Dili. This project only began in mid-2004, but Timor Aid planned to train and assist young people to undertake well-planned and coordinated civic education in their districts, to build the capacity of youth organisations, to foster interactions between young people and government officers, including opportunities for young people to work in government offices, and network among themselves. The project included provision for some youth study tours and work experience with youth organisations overseas (Timor Aid 2004a: 44-46). Related to the civic education work was an additional project on women's advocacy and literacy. It involved developing 'learning circles' with rural women in three districts, with the goal of strengthening women's literacy but also raising their awareness about issues of governance and human rights, and encouraging them to be involved in decision making<sup>348</sup> (Timor Aid 2004a and 2004b).

#### **8.1.4 Poverty reduction**

Timor Aid argued that alleviation of poverty was crucially important in East Timor, and had a number of strategies to support poverty reduction in the emerging nation, among them weaving, micro-credit, and an integrated program which incorporated psycho-social, cultural and economic development. Timor Aid planned to implement such integrated projects in all districts it operated. They tried to combine micro-credit, health education, clean water supply, trauma therapy, adult literacy and youth civic education in the villages in order to offer a solid comprehensive package of projects that might have a greater impact in the development of local communities than single sector programs.<sup>349</sup>

##### *Income Generation through Weaving*

From its early days, Timor Aid actively tried to help women in a variety of ways, among them income generation through weaving the traditional Timorese tais. Tais are

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<sup>348</sup> Respondent 83.

<sup>349</sup> Respondent 82.

traditional cloth, woven on a portable backstrap bamboo loom, in many different designs characteristic of each district.<sup>350</sup> Timor Aid identified the possibility of making the process more efficient using an upright loom technology common in Thailand. In January 2003 trainers from Thailand began training some 22 people in three districts in the construction and operation of these looms. The idea was that using these looms production would be more commercially viable and efficient. At the same time, the project researched markets for the products so that a commercially viable textile industry could be developed. In the next phase of the project a group of Timorese trainees were scheduled go to Thailand to observe the weaving industry there. As the skills of the original 22 trainees grew, they in turn were expected to train another 20 women in the three districts, so that a pool of over 80 weavers would be able to make *Tais* using the upright looms (Timor Aid 2004a:21-26).<sup>351</sup>

In addition to this training work, and to help with marketing, Timor Aid had funding from USAID to develop a catalogue of traditional Timorese *Tais*. This project involved fieldwork to identify and collect samples of different types of *tais*, to photograph many *tais* and the weaving process, and develop a digital register of the many varieties of *tais* weaving available across East Timor. The project planned to work initially in a minimum of five districts, but to help women across the country in the long run. From the samples recorded, the project was developing a catalogue, both hard-copy and on-line, with a view to marketing and training and for cultural reference. A very attractive brochure about Timorese *Tais* has been produced as a basic tool for marketing *tais* to the world. A small book was envisaged as well.<sup>352</sup> Timor Aid was hoping to find funding for a marketing specialist to work on the international marketing for the future. This *tais* work was supported by USAID. Earlier support came from UNIFEM, CIDA, KFB (Austria)<sup>353</sup> and others (Timor Aid 2004a: 21-26).

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<sup>350</sup> Tais Timor Brochure.

<sup>351</sup> Field notes Timor Aid Open Day 2004.

<sup>352</sup> It was planned that the Timor Aid website would develop a link with the *Tais* website, which is expected to have the detailed specifications which buyers may need, cultural information of interest to *tais* buyers and sellers from the solidarity movement, as well as ways people can support the program (Timor Aid Report 2004a:15).

<sup>353</sup> CIDA is the official development cooperation agency of Canada; KFB is an Austrian Catholic women's group.

### *Micro-credit*

The micro-credit program launched in September 2000 grew rapidly. By December 2000 loans had already been given to 80 small groups, some 33 per cent of them going to women. By May 2003 the scheme had provided some 280 loans to groups, a total of 1,162 people, with 47 per cent of the loans going to women<sup>354</sup> (Timor Aid 2004a:32). Most of the microfinance activity was in Dili, Liquica and Baucau, and priority was meant to be given to orphans, widows and those with no other finance capacity. According to Timor Aid's report, the facility:

provides small loans to groups of 2-5 people with existing businesses. Most of the beneficiaries were former business people who wanted to start anew after their homes and businesses were burnt by retreating militias.

Initial loans could not exceed US\$500, but after that, could increase to US\$1,000 if the need was demonstrated and the initial loan was repaid satisfactorily. Loans were offered over a 12-month period, at a 15 per cent interest rate. However, repayments were hard to achieve, and Timor Aid was planning to review its method of giving loans and revising its approach.<sup>355</sup> Unfortunately, the experience of the World Bank's Community Empowerment Project, which gave loans without proper training and supervision, gave the impression to some Timorese that loans were really grants. Confusion also arose because the World Bank's first round of funding was grants, and only later loans were introduced. The result of all this was that repayment rates on the World Bank CEP project were as low as 30-40 per cent. Many (though not all) NGOs had been having problems with loan default rates as a result (NDPEAC 2004, Moxham n.d.).

### *Integrated Poverty Alleviation Project*

The early work with women in literacy and counselling, continued in the form of a major Integrated Poverty Alleviation Program, funded by Austrian NGO, Dreikoenigsaktion (DKA). Earlier work was funded by the European Commission

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<sup>354</sup> Field notes from Timor Aid Open Day.

<sup>355</sup> Respondent 83.

(EC). From mid-2001, Timor Aid began work on this project with four major components:

- 1) a community health education component in six districts (in addition to the two districts where this work was undertaken in the previous project, namely Ainaro and Maliana);
- 2) trauma healing in six new districts (in addition to five districts where this was already operating);
- 3) distribution of national language books and orthography training in all 13 districts; and
- 4) capacity building courses in the four districts where Timor Aid had offices.

The community health work involved revising a community health education manual, training eight community health project officers, who, in teams of two, were to run workshops monthly for three months, making a total of 72 workshops in six districts with follow-up to the women who participated; these women were then expected to use simple materials provided to share their knowledge with other women in their villages. This program operated in close liaison with the Ministry of Health.

The second area of work has been trauma healing, and involved training some 300 trauma healers in six districts, mostly teachers, clergy, health staff and youth leaders, who would have influence through their jobs and would be able to spread their knowledge and experience. The training used a model called 'Capacitar' which uses body-mind-spirit practices, such as Tai Chi meditation, body movement, breathing exercises, acupuncture, massage techniques, and various other approaches to help people identify trauma and deal with it holistically and constructively. The most promising people trained at district level were then identified and given further training to become a national pool of trainers, through a series of five- to eight-day long advanced workshops. All this training was supported by an expert trainer from Capacitar International (USA) who was gradually passing on her skills to the Timor Aid staff and trainers, to enable them to run all their own training at every level.

The final component was an extension of the Tetum language work already undertaken, but which had been limited to development of the orthography, production of more books, and training a limited number of people in the standard orthography. This project, designed especially to support teachers so that they could teach in Tetum language, involved training more orthography trainers, and then supporting them to provide orthography training across the country with school teachers as the priority group, but also others such as media, writers, translators, NGOs, and government officers, who may contribute to dissemination of the standard orthography. Once the Ministry of Education had set up a teacher training institution, the teacher trainers would also be trained, so that they could contribute to the dissemination process to reach the teachers of East Timor. The project was intended to facilitate annual language conferences, production of ten books, including a Tetum dictionary, teaching manuals for primary and secondary school teachers, as well as an adult literacy book. Other books would be for topics prioritised by the Ministry of Education.

This last component also involved continued strengthening of Timor Aid's efforts to build its own staff capacity and that of other local NGOs and community based organisations (CBOs) where it was working. Thus training in management, computer skills and languages (English and Portuguese) would continue. Related to the Tetum promotion aspect of the poverty alleviation project was Timor Aid's continued role operating a Tetum language school (Timor Aid 2004a:35-42).

#### *Disability work and social welfare*

Timor Aid was one of the early local organisations to assist people with a disability. They did this through distributing equipment (e.g. braille equipment, wheelchairs, crutches) and assisting disabled children and their families, including advocacy for their rights to education and health care (Timor Aid 2004a:10). They also helped develop disability services and handed over functions to other local organisations, such as the NGO Katilosa, which provides vocational and rehabilitation programs for young people with physical disability and hearing impairment (Secretary of State for Labour and Solidarity 2003). The latest project in 2005 involved a Training of Trainers for sign

language, enabling a number of trained signers to share their skills with others.<sup>356</sup> In addition, Timor Aid continued its support for a variety of social welfare projects, drawing on various (mainly individual) donor supporters and working with the church to identify needs.<sup>357</sup>

#### *Photo Archive project*

Working closely with the then Foreign Minister, this USAID-funded project, using special photography expertise, set up a national photo archive for East Timor especially for use in tourism promotion. A photographer working with an assistant travelled to all parts of Timor-Leste photographing many locations of interest and capturing underwater scenes, wildlife and landscapes. The project enabled a Centre for Photographic Studies to be set up in the Independence Hall in Dili which hosts the archive of thousands of photographs from all over East Timor. The archive houses special photographic equipment to store, edit and manage the original film and digital copies of the material. A Timorese Centre Administrator manages the whole operation and was training another person. This project came about through Timor Aid's close relationship with the then Foreign Minister and was a response to the need to turn international perceptions of Timor as a war-ravaged country into perceptions of the country as a beautiful tourist destination. At the end of the project, in 2004, Timor Aid handed the whole collection, the equipment and the trained government staff over to the Timor-Leste Government, which was able to use the archive themselves and sell rights to its use (Timor Aid 2004:18-21).

#### **8.1.5 Restructure and redirection**

Timor Aid changed its structure again in 2002; previously it had four departments: Emergency, Logistics, Housekeeping and Assets, and Volunteers. The first two were big departments during the emergency. The Housekeeping and Assets Department, for example, managed three houses (where many staff and volunteers lived) and a number of warehouses. By late 2004 there remained four departments, but with different

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<sup>356</sup> Field notes from Timor Aid Open Day.

<sup>357</sup> Field notes from Timor Aid Open Day.

responsibilities: Projects; Finance and Administration; Logistics (which included assets, security, cleaners etc.) and Human Resources. There were three district offices, each with three program staff and security officers.<sup>358</sup>

In October 2003 Timor Aid held an important Strategic Planning Workshop facilitated by an international NGO, the Institute of Cultural Affairs (ICA), which was given responsibility to develop the strategic plan for Timor Aid. ICA used a participatory process which involved five major steps: a historical scan, developing a practical vision, identifying underlying challenges, developing strategic directions, and integration of the strategic directions into the workplans for each Department. The vision for Timor Aid which was developed at that workshop states:

Timor Aid's vision is of a peaceful, just East Timor with the capacity to bring prosperity to people so they can live in dignity and harmony with each other, the environment, and the region.

Its mission statement says that Timor Aid's contribution to this will be to 'model organisational excellence in undertaking programs to achieve sustainable economic, social and cultural development outcomes.' This involves helping eradicate poverty through small enterprises, promoting Timor's culture and identity, reducing its external funding dependency, having offices in every district, and good relations with the Government (Timor Aid 2003).

Many challenges were identified and some strategies to address them devised. These strategies were to focus on the limited skills and confidence of Timor Aid staff, the wider community fear of change related to mistrust of individuals and institutions, the sense of uncertainty and staff insecurity which inhibited individual contributions to Timor Aid, the need to project a clearer, more focussed image to government, NGOs, donors and civil society partners, and to assist the nation with improved communication, to extend the Tetum language program. The strategic directions

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<sup>358</sup> Respondent 82.

continued the focus on capacity building for the organisation, especially in areas of leadership, management and fundraising; they also involved reviewing the existing projects in terms of the new directions, improving conditions for staff through including them more in decision making, helping them with healing, trauma counselling and mental health, providing more clarity and transparency in terms of duration of projects and contracts; it was also agreed to be more active in external affairs to project an image of positive project work, and also to strengthen Tetum language activities (Timor Aid 2003).

By 2004 Timor Aid had rebuilt to some 80 staff, only one of whom was expatriate, between them managing and implementing some 12 projects. On 5 October 2004 Timor Aid held an Open Day, as part of its new strategy, to celebrate its sixth birthday and showcase its work. The day was attended by various donor representatives, a few local NGOs and friends and supporters. Until this time Timor Aid had still been operating under the original Constitution registered in Melbourne. Timor Aid's new Constitution was completed in 2006 to comply with the new Timor-Leste NGO legislation.<sup>359</sup>

#### **8.1.6 Relationships with government and others**

Timor Aid established good relations with the Government of East Timor, in part because of the personal relationship it had with the first Foreign Minister who, as a former exile based in Australia, had close personal ties with Timor Aid's leaders from the outset. He was both the chairperson and patron of Timor Aid until 1999, after which, due to the demands on him, he stepped down as chairperson, but retained the role of patron.<sup>360</sup> However, Timor Aid has deliberately worked closely with the various Ministries in program related areas, notably in Health and Education, as well as the Ministry of Agriculture, the latter in relation to the micro-credit program which provided farmers with credit for seeds, tools, small livestock, fishing gear etc. in order

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<sup>359</sup> Email correspondence from respondent 82, 26 November 2007.

<sup>360</sup> Respondent 82.



to help them improve their livelihoods. Thus they have seen their role as complementary to government.<sup>361</sup> However, working closely with the government was not always easy, as it had limited capacity itself, and was sometimes slow in responding to ideas, and agreeing to take on initiatives. It required patience and persistence to make collaboration work. The maintenance of good relations also required continuing attention. Whilst Timor Aid worked largely in areas prioritised in the National Development Plan, they believed it was not ambitious enough in seeking to *reduce* poverty. Timor Aid argued that in such a small country it should be possible to *eliminate* poverty altogether.<sup>362</sup> The CEO of Timor Aid was clearly well respected by and well connected to government. She chaired the Electoral Commission for the Local Government elections and was also selected to chair the NGO Committee on the High Level Mechanism, an initiative designed to coordinate between Government, civil society and others in relation to the implementation of the National Development Plan. Unfortunately this interesting initiative seemed to have stalled in late 2004-early 2005.

Timor Aid was not funded by international NGOs based in East Timor, and believed this was because they were angry to be ‘upstaged’ by a local organisation which could do so much. They believed other LNGOs also disliked Timor Aid because they were jealous of the funding to which they had access. In fact, as Timor Aid point out, unlike most other LNGOs, they did not get most of their funding from organisations which were based in East Timor.<sup>363</sup> There was also a lot of criticism about the management and administration of Timor Aid, especially in the emergency period. As Timor Aid’s CEO commented, ‘When there was the crisis everyone rejoiced, and there were rumours going round that Timor Aid was going to close its doors.’ It survived, though

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<sup>361</sup> Respondents 82, 83.

<sup>362</sup> Respondent 82.

<sup>363</sup> TA’s donors who were in East Timor were: AusAID, USAID, UNDP, DFID, CIDA, UNICEF, UNHCR and UNIFEM. The other was the then Foreign Minister, Jose Ramos Horta, himself, 10 other donors to Timor Aid were based overseas, among them Dreikoenigsaktion (DKA, the Austrian Catholic NGO), The Catholic Organisation of Switzerland, The European Commission (EU), The Foreign Ministry of Norway, The Foreign Ministry of Denmark, The Foreign Ministry of Belgium, The Foreign Ministry of the Duchy of Luxembourg, Brot Fur Die Welt and their affiliates in Germany, and countless smaller organisations. DKA, DFID and the EC remain Timor Aid biggest donors to date.

learned the lesson to not accept all offers of funding, but to think carefully about whether they related to the Strategic Plan.<sup>364</sup> Timor Aid remained a member of the local East Timor NGO Forum, but played a low key role in public advocacy, and was criticised locally for failing to speak out about the Timor Sea issue.<sup>365</sup> Timor Aid had a close relationship with the Bairo Pite health clinic, acting as a national adviser to it, and also worked closely with a number of small local NGOs in the disability area. Its finance staff trained and supported the finance staff at Bairo Pite clinic, and at another NGO, the Peace and Democracy Foundation.<sup>366</sup>

One international NGO link which has obviously been valuable is that with AFAP, an Australian based international NGO linked to a strong Pacific network—the Foundation for the People of the South Pacific International—which Timor Aid also joined as the East Timor partner in 2000. This network in turn is linked internationally with Just World Partners (UK) and Counterpart (USA).<sup>367</sup> These links seem to have been very important to Timor Aid. AFAP was the organisation which mobilised the Mercy Ship in conjunction with Timor Aid, and thereby put Timor Aid on the humanitarian map in East Timor. AFAP itself, feeling somewhat responsible for the rapid expansion of Timor Aid and the subsequent difficulties, remained engaged to help them work through the issues, maintain their donor support, and build their organisational capacity, especially in financial management.<sup>368</sup> Links through the founders' personal Catholic networks have also been important for accessing funds in Austria, and these in turn have led to other connections in Europe. These broad relationships have linked Timor Aid to some 18 donors, while its internal networking meant that it was working with a number of other local and international NGOs across the country at the end of 2004. The challenges it faced at the end of 2004 related to continuing its capacity building so that Timorese could manage all aspects of the organisation's work confidently and capably, implementing its strategic plan, rebuilding its reputation after the early difficulties, and gaining recognition for what it

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<sup>364</sup> Respondent 82.

<sup>365</sup> Field notes Timor Aid Open Day.

<sup>366</sup> Respondent 14.

<sup>367</sup> Respondent 14.

<sup>368</sup> Respondent 14.

was doing. The deputy CEO was in Australia studying for two years, and the long term volunteer's three year term was to end shortly, which would leave the management a little weaker, especially in terms of maintaining its proposal writing efforts and abilities to seek out and access funding opportunities for the longer term. However, overall, the organisation was far stronger, and seemed to have maintained its early vision to help improve the humanitarian situation in East Timor. In these early years it recognised that unless it focussed on developing its own capacity it would not be able to fulfil that role, so it put significant effort into internal capacity building to enable it to work effectively for the long term benefit of the Timorese people.<sup>369</sup>

## **8.2 SAHE Institute for Liberation (SAHE)**

The SAHE Institute for Liberation (SAHE) had its origins in Indonesia in 1998. A number of Timorese young people living and studying in Jakarta, who were involved with the clandestine resistance movement, came together concerned that no debate was going on among them about issues in East Timor. They had no real knowledge of their own history, culture, and politics nor any depth to their ideas about democracy. One was working as advocacy coordinator for an Indonesian human rights NGO, ELSAM (the Institute for Policy Research and Advocacy) so they initially started meeting every Friday evening in its offices; and at the same time they had meetings once or twice during the week with students. The Friday evening sessions covered a wide range of different topics, including study of various books about revolutionary thought, history of East Timor, and international affairs. These meetings went on regularly for five months. The group also began to translate important books into Indonesian, so that they could be more widely read.<sup>370</sup>

ELSAM had links with the emerging Yayasan HAK, channelling international funds to it, and giving it a range of human rights support. On one occasion, the now-Director of

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<sup>369</sup> Respondent 82.

<sup>370</sup> Respondent 80.

HAK went to a workshop organised by ELSAM in Jakarta, where he met the group of Timorese. He agreed that HAK would provide funds to publish one of the group's book translations, Dr Helen Hill's history of FRETILIN. The 'SAHE Study Club', as SAHE was first known, was formed soon afterwards at a three day workshop organised and facilitated by two Indonesian human rights and Timor solidarity NGOs, ELSAM and Fortilos, and attended by about 35 students. The name SAHE was to honour Vicente Reis Sahe an early FRETILIN leader who had promoted Paulo Freire's ideas about popular education. Disconnected from their own history, none of the students had known about Vicente Sahe but they had become aware of him through their reading and study. At this workshop there were intense discussions about law, culture, politics and history, and shortly afterwards they translated and published two more books, Freire's *Letters from Guinea-Bissau* and a book by Samora Machel about another former Portuguese colony, Mozambique. Some of the books had been brought back to Jakarta by the ELSAM advocacy coordinator who had obtained them during a visit to Canada in 1997, where he had been for a conference, others were from friends overseas. SAHE's meetings, organised by a core group of just five or six people, were soon attracting a growing number of students, and debate about history, culture, politics and democracy was alive and well among Timorese and some Indonesians in Jakarta<sup>371</sup> (Hill 2002: xiii).

### **8.2.1 SAHE's role in the lead up to the 1999 ballot**

A significant development occurred in May 1999 when SAHE analysed the May 5 Agreement between the UN, Portugal and Indonesia which authorised the August ballot. Their analysis was published as a small booklet and 4,000 copies were distributed inside East Timor by the CNRT. This also led to discussions about the Agreement in newspapers, with SAHE warning that it was a trap because the Indonesian Government controlled security. Shortly before the referendum the CNRT held a secret three day workshop at the Canossian centre in Kaikoli attended by about 200 people. ELSAM's Advocacy Coordinator spoke at this event drawing on the study

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<sup>371</sup> Respondent 80.

and analysis which the group had been doing. Soon after this he was seconded by ELSAM to work with Yayasan HAK in Dili, leaving others to continue their efforts in Jakarta. Not long afterwards, others who had been in Jakarta also returned to Dili in the tense atmosphere leading up to the referendum. The resistance movement was still entirely clandestine and there was no culture of debate or discussion allowed. The group wanted to continue publishing and promoting underground discussions. They published bulletins which they distributed in small numbers, asking people to duplicate them themselves and share; they also held a few training sessions and discussions, but the climate of fear and intimidation made things difficult until the ballot,<sup>372</sup> and the subsequent traumatic events gave way to an entirely changed environment.

### **8.2.2 The September 1999 emergency**

At first, the huge influx of humanitarian assistance after September 1999 and the arrival of the international community with its own agenda, as well as the sheer physical circumstances, made it hard for the activists of SAHE to concentrate on their original ideas. These ideas, which had been strongly influenced by what they discovered FRETILIN had been doing in the mid-1970s (Durnan 2005, Hill 2002), were about people having the power to decide their own fate, people who were really independent, not recipients of international aid or charity. However, it was obvious that they neither knew what the Timorese people wanted, nor was SAHE known or trusted by people inside the country (unlike HAK which was widely recognised), and at first they had little or no means to assist. Nevertheless, like a number of other local NGOs they obtained early support from USAID in the form of a computer and motorbike, and three months' costs, which enabled them to function more easily. During this post-referendum period the SAHE Study Club of Jakarta transformed itself into the SAHE Institute for Liberation in Dili. They initially worked from a base in HAK's office: they did not want to duplicate what HAK was doing, but wanted to help HAK in some way. So they began by organising some discussion workshops and publishing very simple material which people could copy and pass on. They organised discussions with youth

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<sup>372</sup> Respondents 80, 81.

groups and university students on topics such as nationalism and culture, trying to create space for discussion about the future of the nation. Most of the members had no experience in working in an NGO and they were very idealistic. Yet they realised that, given the people's current circumstances, idealistic dreams would be of little use. What they needed to do was translate these ideas into practical action.<sup>373</sup>

### **8.2.3 Developing a focus**

The group decided to focus on training for youth and building relationships directly with communities and community organisations. They saw that their role as an NGO should be to help the community interact directly with the state, not act as an intermediary between the two. In early 2000 they decided to go to Bucoli (in Baucau District), to Vincent Sahe's community (Bexley 2003) where they met people who had known him and been his students. The initial discussion in Bucoli was a very moving affair—people talked all night, and some were crying as they talked about what a great man Sahe was. For the young people of SAHE Institute it was a momentous occasion and it inspired them to work with the community in Bucoli to try out the ideas they had been discussing. So they began work in Bucoli on literacy, using a Freireian approach like that used in the mid-1970s by Fretilin cadres (CAVR 2006 Section 5), only providing what people needed and genuinely could not provide for themselves. As they acknowledged, the people knew how to organise themselves; they had been doing so for years as the clandestine part of the resistance movement. The people also organised weddings, funerals and other events, so the SAHE activists were learning community organising from them, rather than the other way round. They began with a small group doing literacy, then the people were interested in traditional medicine, and they soon developed cooperatives, a resource library and a community radio, the latter using second-hand equipment given by friends in UNTAET. Some members who had taken an opportunity to learn about organic fertilizers, started to train others to make and use

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<sup>373</sup> Respondents 80, 81.

them, and this soon caught on, with requests for them to carry out the training in other communities.<sup>374</sup>

At the same time, they had decided to work in three main areas: publishing, popular education and research. They began publishing with a small booklet in Tetum about the roles of the World Bank and International Monetary Fund in international development, released in 2001 (Soares 2001). This book was a critique of the development approaches these institutions promoted and the debt into which they led countries. The World Bank had the booklet translated into Portuguese and representatives came to the SAHE office to discuss its contents, arguing that it was an out-of-date representation of World Bank policy. SAHE invited the Bank to provide more updated information, but never received it. Thus, after the Constituent Assembly election in August 2001, SAHE distributed the booklet to the new Assembly members and it provoked considerable comment.<sup>375</sup>

#### **8.2.4 The School for Activists (Escola Ukun Rasik A'an)<sup>376</sup> and an educational role**

The idea of a school for organising as an approach to education grew out of SAHE's philosophy about communities being able to decide things for themselves, and the group's thinking about what could be done to strengthen communities to do this. They recognised that people were strong, they had a spirit of independence and self-sufficiency, and they had shown that without any support they could defeat the Indonesians, so that was something to remember always. SAHE's idea was simply to keep that spirit going, with any funding they could offer merely supplementing it. They saw their own role as a supportive one, helping for example with training, education, and media development (radio and film-making). They saw that they needed to work wherever the community wanted to start (e.g. literacy) but gradually they would work across a range of sectors, towards giving people a wider perspective and integrating

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<sup>374</sup> Respondents 80, 81.

<sup>375</sup> Respondent 80.

<sup>376</sup> 'Escola Ukun Rasik A'an' translated literally means 'Self-determination school.'

these sectors together. Other organisations were keen for SAHE to develop their Activist School, as there was a general feeling that more community organisers were needed who could share knowledge and work with the spirit of voluntarism which had sustained the resistance movement. This community organising had provided food and medicines to FALINTIL, passed letters to and from them, and helped achieve political independence. But SAHE was well aware that the political independence did not have a strong cultural, educational or economic base. Not all the people's problems were solved because the Indonesians had gone. What was needed was a strategy to transform and apply the knowledge people had gained during the occupation to the new situation. So the Activist School started.

For the first Activist School, which got underway in 2002, 21 participants were selected by their communities, each of whom had committed to work in those communities with the knowledge they gained. The school, modelled on a Brazilian social organising approach, and drawing on early FRETILIN experiences of organising in 1974-75 in East Timor itself, was organised as a series of blocks of learning, combined with periods of fieldwork. There were five blocks of learning, each lasting seven to ten days, followed by two to three months working back in the community, so that the entire program lasted at least a year to eighteen months (Durnan 2005). The five blocks covered (1) History and social analysis of East Timor; (2) Community organising (with local resources); (3) The agricultural system, the health system, and cooperatives; (4) Culture; (5) Evaluation of the organising, and planning follow up and other new classes. A total of 14 students completed this program. In the next two to three years the participants were expected to maintain a process of learning, to encourage more community organisations to be involved in this approach, and to generate more activities which would self-fund. As a result of this school, by late 2004 there were some 10 more people actively involved (from 10 districts and 11 communities) as well as around four or five people in Liquica and the community in Bucoli. These ideas were also being taken up through other NGOs, such as Kadalak Sulimutuk Institute (KSI), a student led research institute, and HAK.<sup>377</sup>

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<sup>377</sup> Respondent 81.



Another initiative was to work on traditional medicine, and in 2004 SAHE hosted two people with expertise in this area from Jakarta to work with a group in Faulara (Liquica) to build skills in making and using traditional medicines. Also in Liquica they trained a group of people in making organic fertilizers; this group had given training sessions in another three or four communities before the end of that year. SAHE's work on organic composting and simple composting toilets was also being spread by simple, practical training. Thus the emphasis was on building up local community members' skills and then facilitating them to share those skills with others. SAHE also took its approach more widely into the education sector, and acted as the coordination point for a vibrant Popular Education Network, known as *Dai Popular*. This was set up in 2001, and in 2004 had some 36 organisations involved. Most of the members were community organisations, seeking to learn from each others' experiences, and relate together with international organisations (Durnan 2005). They used 'popular education' as a tool for work in other sectors, such as agriculture, human rights, and health.<sup>378</sup>

An important and growing aspect of SAHE's work was its development of media. In 2001 SAHE began publishing a journal, '*Libertasaun*', written in Tetum, with issues covering topics such as nationalism, education, and the international financial institutions. From time to time SAHE also published small books and pamphlets on topical issues. All this literature was popular with students, and indeed some 500 books brought back from Indonesia by SAHE had all been taken by students. SAHE also had a production studio in which it could produce radio and CD-Rom. It produced a number of CD Roms, for example about self-reliant development, the International Tribunal, and about agricultural reform in the coffee industry. In making these, SAHE worked with other NGOs in the networks to which it belonged. CD Roms were cheap to produce and the CDs were used for educational activities by SAHE and others. Thus

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<sup>378</sup> Respondent 81. I also saw some of the composting toilets which had been built during a SAHE training in 2003.

SAHE continued its original ideas of promoting education, debate and discussion, using the research and media skills it had developed.<sup>379</sup>

### **8.2.5 SAHE and nation building**

Unlike some other NGOs, SAHE as an organisation did not play a role lobbying or advocating about the Constitution, although two of its former members stood as candidates for FRETILIN for the 2001 Constituent Assembly election and were elected. SAHE's view was that while individuals might wish to get involved in the debates around the Constitution, the NGO itself would not, as it believed that it was the people who should be directly involved in the discussions. Their observation was that a lot of organisations were doing national level advocacy, but very few were organising the community. They did not want to be an NGO who was advocating nationally without connecting to the community. In fact, their main attention was focussed narrowly on two communities (Bucoli, Liquica) with any national level work only undertaken through networks with others and the Activist School. Similarly they were not involved in the processes surrounding the National Development Plan.<sup>380</sup>

They felt that although it was the efforts of the resistance which led to them having their own government, once UNTAET took over the people were left behind. As they saw it, rather than transform the knowledge and experience of the resistance, and use the former clandestine networks to build cooperatives, develop literacy and so on, the leadership took power to do things *for* the people. But the problem they saw was that East Timor was very dependent on international aid, and they did not believe that the funds were in East Timor's own control. As they saw things, the Government did not organise the community to recognise and understand the problems facing the country, instead they got caught up making laws and policies. So for SAHE, the Government lost an opportunity to build on the spirit and voluntarism of the resistance period to

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<sup>379</sup> Respondent 81, and personal observation at SAHE Office.

<sup>380</sup> Respondent 81.

develop community organisation and self-reliance.<sup>381</sup> However, SAHE's membership of various NGO networks took them into dialogue with Government, as for example the meeting that they organised for HASATIL with the Prime Minister. This was an 'off the record' discussion in early 2004, during which NGOs talked to the Prime Minister about a range of issues, especially to do with the World Bank and its role in East Timor. SAHE appreciated that although there were some problems, the Government was facing a lot of constraints and there were good people, like the former Director of the NGO Forum who was by then a Secretary of State, struggling to do what they could.<sup>382</sup>

#### 8.2.6 Relations with other NGOs

SAHE was active in a number of NGO networks, taking a lead role in Dai Popular through which, among other things, it lobbied government for a national literacy campaign (Durnan 2005). SAHE also played a very active role in HASATIL, the network of NGOs interested in sustainable agriculture, and in the two NGO networks active on the Timor Sea issue. It was also a member of *Knua Buka Hatene* (KBH), a Training Centre set up jointly with the women's group *Grupo Feto Foun Timor-Leste* (GFFTL) and the trades support organisation, LAIFET<sup>383</sup>, with support from Australian trades union NGO, APHEDA<sup>384</sup>. They used this link to develop their training ideas and to provide training to other community organisations.<sup>385</sup>

Most of their funding came from international NGOs, especially three from the international catholic network, CAFOD (UK), Trocaire (Ireland), and the Catholic Bishop's Conference of Japan. Oxfam (GB) and the Finnish Government also provided support. They appreciated these donor partners, who supported their approaches and

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<sup>381</sup> Respondent 81.

<sup>382</sup> Respondent 80.

<sup>383</sup> Labor Advocacy Institute for East Timor.

<sup>384</sup> Australian People for Health, Education and Development Abroad, the overseas aid arm of the Australian Council of Trade Unions.

<sup>385</sup> Respondents 81, 68. In May 2003 I conducted a review of APHEDA's program in East Timor and became aware of SAHE's role in KBH through that experience.

were not always asking for immediate results, which would draw SAHE's energy away into hours of reporting. They were happy that they started with only one funder, but by late 2004 there were many organisations wanting to support them, and the ones they worked with were very different in their approach compared to their initial donor, USAID.<sup>386</sup>

### **8.2.7 Organisational structure and sustainability**

SAHE operated as a small collective of eight members and some additional volunteers, and they were keen to stay small, despite offers of support and opportunities to grow. There was an overall coordinator, but all decisions were taken collectively and everyone met twice a week—on a Monday for planning and evaluation of their program, on Friday to make organisational decisions. The key challenge they faced was how to become self-sufficient, or at least partially self-fund. They were trying to build up income through selling books and films, by making films for other organisations, and facilitating for others. In late 2004 they were hoping to soon open a bookstore, and also branching into selling T-shirts. They knew this was going to be a difficult process to build up their earned income, but they were making a start. They saw a huge need for community organising, and felt not enough was happening on the ground. For them, the key challenge was for individuals to build their own capacities so that they could help communities organise themselves to be more self-reliant.<sup>387</sup>

## **8.3 Conclusion**

Timor Aid emerged from the self-determination struggle and saw Timor-Leste achieve that goal. However, it soon realised that for this to be meaningful and to deliver further benefits to ordinary Timorese people they had to have a greater sense of community level self-determination, in part through poverty reduction. They also seemed to have

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<sup>386</sup> Respondent 81.

<sup>387</sup> Respondent 81.

understood that the process of building a new democratic nation needed to have long term attention and hence the focus on civic education, especially for the youth. Thus Timor Aid's revised vision, developed in late 2003, focussed on a '...peaceful, just East Timor with the capacity to bring prosperity to the people...' (Timor Aid 2003:3). Their programs have been very broad and diverse, with considerable attention to poverty reduction (with a broad encompassing understanding of poverty and exclusion), building Timorese identity (through language, culture, crafts and other media), civic education and work with youth.

They experienced major changes in their people and management systems over the five years, initially expanding very rapidly with international support, but without the systems to adequately manage the growth, then experienced a sharp reduction in personnel and a need to rethink and rebuild the organisation for a more sustainable future. This involved developing Timor Aid's own internal strategy and training program activities to build the skills of its staff and the NGOs with whom it worked in the districts. One element of this was long term in-house training and mentoring support from an international staff member working on local salary. Thus Timor Aid focussed heavily in the 2002-2004 period on building its own organisational capacity to manage and report on the types of programs it was undertaking. This involved not simply staff training but also organisational restructuring following a late-2003 strategic review process.

Clearly Timor Aid had enormous capacity to mobilise resources in the immediate emergency response phase, but it simply did not have the management capacity to match. It nevertheless retained a strong international network from which it derived resources, particularly through diverse international NGO and donor government sources developed during the period when its key members were in exile, rather than from sources based in Timor-Leste. In this sense it may have added to the sum of resources available for programs in East Timor. In particular it worked with networks of international NGOs, to obtain resources from the US, Europe and donors involved in the Pacific region.

This capacity to access resources was clearly linked to the skills Timor Aid had in external relations, initially through the East Timor solidarity and church movement worldwide, later through donor organisations mentioned above. Its external relations with the East Timor Government, particularly then Foreign Minister, Jose Ramos Horta, and certain key departments, built on relationships established over many years in exile. However, its relations with some other local NGOs have been difficult in the early years, in part because it generated such a high profile in the emergency, driven by returning exiles, and in part because it had not very actively engaged in joint advocacy with other NGOs. Timor Aid seemed to prefer ‘quiet diplomacy’ directly with the Government. There seemed to be deliberate attempts in late 2004 to reach out and build better relationships with non-government and other players within East Timor. Thus despite its early difficulties, Timor Aid established itself as an organisation with capacity to achieve outcomes in a range of program areas.

The group who started the SAHE Study Club in Jakarta had an initial vision which drew on East Timorese history (particularly FRETILIN’s approach in the 1970s) and involved educating themselves and other Timorese students about how East Timor might develop as an independent democratic nation. But their return to Dili in mid-1999 forced them to confront the pressing challenges facing Timorese people at that time. However, in tune with their initial educational role, they focussed a great deal of their energies on education—both for themselves and for the communities they were trying to help. They tried to develop empowering educational support to foster community networks for self-help. They endeavoured to build a pool of skilled facilitators through their small community groups in Liquica and Bucoli and through their Activist School. Thus their vision became clearer following their reading and research in Jakarta and their assessment of what practical help they could offer once they returned to East Timor. They remained a small group—developing a wider, relatively loose network—with little need for sophisticated management systems. They operated as a collective, in a participative way, which was practically possible given their small size. They mobilised limited but important resources from donors, but

probably more significant, they concentrated on mobilising the existing skills and capacities of the people themselves and transforming those for the new circumstances.

The external relations they focussed on have largely been the two communities they worked with, their network of Activists and other popular education NGOs. They have not seen direct relations with government as important, and have limited their donor relations to a small number of like-minded organisations which supported their approach and did not expect immediate returns. The Popular Education Network was an important one through which SAHE's ideas could be tested with others, and in other settings, and through which they lobbied for a national literacy campaign. Their continuing links with Indonesian NGOs also helped them develop practical ideas. There is no doubt that SAHE had capacity to achieve outcomes, some of which were expected to spread further through word of mouth and example.

These quite different NGO stories complete the detailed case studies of East Timorese NGOs. The next chapter attempts to draw together from the case studies some conclusions about what happened to these local NGOs as organisations through the tumultuous period 1999-2004. It identifies the key roles local NGOs played through the various phases of the multiple transitions East Timor was undergoing and examines their major organisational and capacity development challenges and strategies.

## **CHAPTER NINE**

### **CHANGING NGO ROLES AND CAPACITIES IN A COMPLEX ENVIRONMENT**

Chapters Three and Four elaborated the enormous changes in East Timor, among civil society itself, in the governing structures and processes, and through the dramatic increase in the number of international organisations present there. The following chapters described the trajectories of six significant NGOs in this period, demonstrating how actively engaged they were throughout. This chapter draws together the main issues and trends arising in terms of the roles key local NGOs in East Timor played during this period—how they tried to engage with and influence events, and negotiate changing relationships, changing themselves through the process. This chapter focuses on the NGOs as organisations, and reflects on them in relation to Fowler’s and Fisher’s frameworks and perspectives referred to in Chapter One. It comments on these NGOs’ capacities, how significantly the context affected them, and highlights some capacity development strategies these NGOs found particularly effective through the period. It also identifies areas in which they struggled. The final chapter will address the broader question of their contributions to democracy, development and peacebuilding.

#### **9.1 Local NGOs through the transitions: the challenges of context**

One of Smillie and Hailey’s conclusions about NGOs is that ‘context is everything’ and yet this is usually ignored by NGO observers (Smillie and Hailey 2001:161). This study strongly affirms this finding about the importance of context to NGOs. NGOs in East Timor were almost amoeba-like in the way they adapted to the very rapidly changing context in which they were operating. Table 2 summarizes the findings so far, tracing the transitional phases the emerging country experienced—the broad challenges it, and the NGOs in particular, faced in each period, and their responses to them.



***Phase 1 Late 1998 to May 1999***

At the beginning of the study period, Timorese NGOs inside the province were operating in a repressive and dangerous environment. They were largely oppositional to the Indonesian state, but had to operate ostensibly within its laws and under the surveillance of its officials. They were at times threatened or harassed by state agents and had to be highly sophisticated and wily in the way they functioned. The result was that the small number of Timorese NGOs operated as best they could, sustaining people with urgent humanitarian needs, trying to protect people from serious human rights abuses and documenting the many violations which occurred for dissemination via international networks. Their 'normal' programs, in areas such as agriculture, credit, and water supply were considerably disrupted. Relations with the community were essentially through key individuals, particularly members of the Catholic Church or religious orders, the CNRT, or youth, student and women's groups (many of which were becoming increasingly courageous in their campaign for self-determination). Working with groups was almost impossible, and only the church provided a protective umbrella for people to meet together safely. The NGOs developed a level of trust with certain individuals in their own communities and internationally through whom they could work. The repressive situation also shaped the donor environment, as international NGOs were viewed with suspicion by the Indonesian Government, and those that were present had to maintain a low profile, often as part of a broader Indonesian program. Other INGO donors made only brief visits to the province and although INGOs and bilateral donors knew NGO capacities were limited, capacity development was extremely difficult. AusAID was the only bilateral donor based in East Timor and was operating a water and sanitation program through which it developed the NGO Bia Hula.

**Table 2 Phases in the study period and NGO responses**

<b>Socio-political context</b>	<b>Core Problems</b>	<b>NGO roles and issues</b>	<b>Key relational challenges</b>	<b>Support provided by official donors and INGOs</b>
1. The last phase of the Indonesian occupation (from late 1998 to May 1999)	Human rights violations.  Displaced persons needing food, water, and access to medical care	Humanitarian relief.  Human rights protection and documentation  Information provision to outside world  Some support and protection to resistance and population.	With Government of Indonesia and militia: maintaining space to operate.  Providing information and reporting to predominantly international NGOs	Finance Networks for information provision International NGO presence and solidarity  NB: Only limited number of official donors.
2. UNAMET presence from June 1999-30 August 1999: the lead up to the act of self-determination	Human rights violations Internally Displaced Persons (IDPs) needing food, water, and access to medical care  Population needed information about conduct of the ballot.	Humanitarian relief.  Human rights protection and documentation  Information provision to UNAMET and outside world  Some support and protection to resistance and population  Civic education re act of self-determination	With Govt of Indonesia and militia: maintaining space to operate, especially as ballot drew closer  Providing information and reporting to UNAMET and international governments, organisations and NGOs  Developing partnership with UNAMET and UN agencies	Finance  Networks for information provision  International NGO presence and solidarity  Only limited number of official donors.  Working in partnership e.g. UNHCR working with NGOs re food distribution etc.

3. Period of the Emergency (September 1999-mid-2000)	<p>Population displaced</p> <p>Infrastructure destroyed</p> <p>Services collapsed</p> <p>Initially no government then UNTAET administration</p> <p>Human rights violations</p> <p>Traumatised people</p>	<p>Humanitarian relief</p> <p>Human rights documentation and information</p> <p>Trauma counselling and support</p> <p>Reestablishing NGOs</p> <p>Advocacy for Timorese participation</p>	<p>Reestablishing partnerships and finding role in international emergency operation.</p> <p>Understanding influx of NGOs, multilateral agencies, bilateral donors and their roles.</p> <p>Reestablishing NGOs' own relationships, NGO Forum etc</p>	<p>Mostly short-term (3 month), in-kind support and equipment, transport, office establishment.</p> <p>'Partnerships' of various sorts with international humanitarian community.</p>
4. Emergency to rehabilitation period and establishment of transitional processes for independence (Mid-2000-May 2002).	<p>Need to rehabilitate all essential infrastructure and deliver essential services</p> <p>Need to establish political structures and processes for transition to independence.</p>	<p>Transition from immediate relief to longer-term development programs</p> <p>Civic education for transition to self-government</p> <p>Advocacy for greater Timorese input to decision making</p> <p>Organisational development and strategising.</p>	<p>Understanding the organisational landscape and establishing longer term relationships with UNTAET and ETTA structures, INGOs, multilateral agencies and bilateral donors.</p> <p>Linking community to the international effort and disseminating information.</p>	<p>Finance, training, and advice; networks, mentoring, reviews etc</p> <p>Major projects eg to provide frameworks for NGO roles in civic education</p> <p>'Partnerships' with international NGOs.</p>

5. Independence—the initial 12-18 months (May 2002-early 2004)	<p>Strengthening the state institutions and the state's ability to provide essential services to the community.</p> <p>Begin implementation of the National Development Plan.</p> <p>Communities seeking support to address priorities of health, education and agriculture.</p>	<p>Longer-term development - finding roles.</p> <p>Greater development of democratic structures and institutions.</p> <p>Finding approaches to organisational sustainability.</p> <p>Relationship-building with government.</p>	<p>Develop relationship with new Government and maintain civil society space</p> <p>Review programs and deal with reduced donor support for NGOs</p> <p>Develop greater effectiveness in work with communities.</p>	<p>Networks and reduced funding</p> <p>Training and advice, reviews, and shared learning</p> <p>'Partnerships' with international NGOs.</p>
6. Independence—later period: early 2004 to mid-2005.	<p>Withdrawal of most international forces and support</p> <p>Consideration of decentralisation.</p> <p>National Government's stability and capacity to manage the nation.</p>	<p>Finding strategies for organisational sustainability.</p> <p>Developing Government-LNGO relationships</p> <p>Empowering people for greater self-reliance</p>	<p>Reducing presence and funding from INGOs and official donors.</p> <p>Improve relationship with new Government and maintain civil society space.</p> <p>Develop less dependent relationships with communities - focus on community development</p>	<p>Networks and reduced funding</p> <p>Training and advice, reviews, and shared learning</p> <p>'Partnerships' with international NGOs</p> <p>NGOs as contractors in major aid project.</p>

### ***Phase 2 June 1999 to 30 August 1999***

As the UNAMET team arrived in East Timor, the situation remained tense and difficult, but NGOs developed new relationships with elements of the UN presence. Human rights NGOs such as HAK developed a relationship with the political section of UNAMET, while it and others involved in emergency response developed relationships and activities with the UN High Commission for Refugees and World Food Programme whose presence was a response to the growing numbers of Internally Displaced People. NGOs also became involved with the civic education effort, to make the population aware of how to register and vote in the ballot for self-determination. The Catholic Church and its NGO, Caritas East Timor, played a particularly significant role supporting the resistance leaders as well as the wider population. Most NGOs were forced to suspend their normal programs during this period and simply do whatever they could to respond to the emergency facing the population and to maintain a human rights presence in the province. They advocated strongly for a more secure environment for the conduct of the ballot. It was also during this period that many Timorese students studying in Indonesia returned to East Timor to assist civil society groups provide community information and education in preparation for the ballot.

### ***Phase 3 September 1999 to mid-2000***

After the ballot, NGOs were targeted and their staff had to flee in several directions. When they returned, it was to a different organisational environment altogether. The international humanitarian community had arrived in East Timor and the United Nations was taking over (or had already assumed) administrative responsibility, initially through INTERFET and then in the form of UNTAET. The struggle at that stage was for recognition by the international players and for acceptance that LNGOs, along with other local leaders, had a role to play. LNGOs had two responses to this—some withdrew frustrated from efforts to work within the UN framework and began to regroup and identify things they could do with the community, often with INGO or prior donor support (e.g. Caritas Dili, ETADEP, Yasona).<sup>388</sup> Others explored working in partnership with INGOs or multilateral agencies such as UNHCR with whom they

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<sup>388</sup> Respondent 84.

already had relationships, and found ways to contribute to the internationally led emergency response (e.g. Timor Aid, HAK). Human rights NGOs also immediately set about gathering evidence and documenting the many violations which had just occurred. The community's needs, which were considerable at that stage, motivated LNGOs to respond to the immediate circumstances, such as providing food, trauma counselling, and ways of generating income or livelihoods. Some NGOs also recognised that an urgent requirement was to plant the crop for the coming season, so agricultural NGOs were quick to try to supply the necessary seeds and tools to allow people to plant again and start fending for themselves. This was a period of considerable turmoil and initial exclusion of most LNGOs, although those with pre-existing international NGO partnerships were able to draw on their international support quite rapidly to develop at least short term plans and deliver some programs, generally in partnership with INGOs and a small number of UN agencies. However, the experience of exclusion actively contributed to the re-formation of the East Timor NGO Forum, an organisation which played an important role in the UNTAET period.

#### ***Phase 4 Mid-2000 to 20 May 2002***

As the emergency response shifted into a rehabilitation phase, many of the NGOs realised that they needed to review their situation, assess the needs of the people, and their own capacities, and determine what they could do for the next period. During this phase there were many demands upon them as the people's situation remained extremely difficult and UNTAET began the longer-term task of rebuilding the country's infrastructure. At the same time UNTAET began to establish some Timorese governance and administration, in preparation for the transition to independence. Criticisms of the exclusion of Timorese from the emergency phase led to the inclusion of NGO and church representatives in key bodies established to advise the Secretary-General's Special Representative in East Timor. In the absence of a legitimately elected government, NGOs were seen as one source of legitimacy for the UNTAET's decision making about East Timor's future. By 2001 the NGO Forum and its many Working Groups had become extremely lively with NGO people actively engaged with international donors and the UNTAET administration on a range of sectoral and

transitional process issues. East Timorese NGO representatives also had seats at the table at official donor meetings coordinated by the World Bank.

This was also the period during which NGOs began to develop or redevelop their programs in key communities; addressing people's socio-economic needs became important, along with addressing their information needs and resolving local conflicts. For some NGOs this was a time of expansion and an opportunity for interaction between the communities and the national developments. It was a chance for some to engage the community on broad policy issues facing the new nation (HAK, FOKUPERS). For one, it was a period of major adjustment to reduced funding following the emergency (Timor Aid). Others simply pushed on with their development work (Timor Aid, ETADep, SAHE). From 2001 many NGOs played important civic education roles, helping to explain to the community the process of the ballot for the Constituent Assembly, and, once established, informing the community, gathering their views and advocating about the proposed Constitution. Thus the NGOs had an important role throughout this phase. They were included in many key processes, and they in turn advocated for processes that would enable greater community inclusion. A few key donors had introduced civil society programs, mainly focussed on community socio-economic development and civic education for democracy, and often directed to LNGOs through international ones, who were meant to be providing capacity building support.

#### ***Phase 5 20 May 2002 to early 2004***

As the nation attained independence in May 2002, East Timorese NGOs recognised that things were likely to change again, and several of the case study NGOs reviewed and reassessed their context and their work in late 2002 or in 2003. At this point they were realising that not all their community level programs to date had been as successful or sustainable as they would have hoped, and they were feeling their way in their relationship with the various organs of the state (e.g. the President, Parliament etc.) and the new Government.<sup>389</sup> Some were beginning to work with the relevant

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<sup>389</sup> Apart from the case study NGOs this was true of others, e.g. respondent 71 described how his LNGO

Ministries, both as individual NGOs and through NGO networks, while others were simply working at community level, with only limited contact with the central Government. It was starting to become clear that communities were going to have develop greater self-reliance as the Government had little capacity to respond to the many community issues arising.

### ***Phase 6 Early 2004 to mid-2005***

By 2004 relations between Timorese NGOs and the Government had become a significant concern. From a period of lively inclusion in national debates, NGOs found themselves left on the margins, with ambivalent legal status and no easy channels of engagement. There had been no legislation to establish the status of NGOs, and there was concern that when such laws or regulations were created they might be designed to control NGOs rather than to facilitate their operation. Although there was an NGO Unit within the Ministry of External Affairs, some NGOs were nervous about its attempts to establish a register of NGOs, and liaison meetings with the Ministry tended to be information provision sessions from the Government to NGOs. In an attempt to address this situation NGO networks became more important as it was through these networks that NGOs experimented together in engaging the Government, for example through sectoral departments such as the Ministry of Agriculture Forests and Fisheries (HASATIL), or the Ministry of Education (Dai Popular). However, while some networks supported the Government, for example in its struggle to gain a fair deal over the exploitation of the natural resources of the Timor Sea, others came into conflict with it, particularly with the President, over issues of justice for victims of serious human rights violations (ETAN 2005). So while there were examples of excellent cooperation between NGOs and the new Government there were parts of the Government suspicious of NGOs and their political motives.

Donor relations were also changing, with far greater demands for accountability and reduced donor funding for local NGOs as donors focussed on strengthening the

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had good relations with the President, and that the Parliament read reports it produced, and respondent 79 described considerable interest in one Ministry in learning more about her LINGO's approach in developing policy in that area.



Government. The move towards decentralisation and establishment of local government structures attracted official donors, whose investments shifted towards this goal, at the expense of civil society programs (Ministry of State Administration 2005). Funding levels fell and many of the post-1999 NGOs closed down or faded away. Some survived in the short term as contractors to official donor programs, but the sustainability and capacity of even the well established NGOs became a central issue. Faced with these new pressures and a situation of considerable uncertainty, it is unsurprising that a number of NGOs found themselves dealing with the challenges of reduced funding and staff reductions, as well as trying to work with communities in which pressures were building. It was becoming evident that getting people working together in community groups and trying to help them engage with the new state was fraught with difficulties. Local communities expected relations with outsiders to reflect the top-down provision of goods or services with which they were familiar in Indonesian time, and which had unfortunately been more than reinforced through 'aid dependency' created during the previous few years. NGO staff struggled as they tried to shift towards a community empowerment and community development approach, but in a difficult environment and without adequate skills or experience.

Thus over the five year period of this study the overriding challenge the NGOs faced was how to negotiate their way through the changing context and in particular, the changing relationships: with the Government; with donors and the international community; and with other smaller NGOs or community groups and the local people at district or sub-district levels. These changes were at the heart of the challenge, and in turn affected their ability to both mobilise resources and demonstrate outcomes. Although each of the case study NGOs remained true to their original values, they had to constantly reassess their roles in this rapidly changing context, and adjust their activities and relationships accordingly. This also required them to make frequent, and times major, changes in their organisational structures in response, which will be discussed later.

## 9.2 Overview of LNGO roles

It is notable that local NGOs in East Timor played all the roles identified elsewhere by Hulme and Goodhand (2000) and all but one<sup>390</sup> of those identified by Leonhardt et al.<sup>391</sup> (2002), although in neither earlier study was the role of local NGOs distinguished clearly from the work of international NGOs. This study emphasises that *local Timorese* NGOs were active in each of these areas; I have summarized the roles they collectively undertook throughout this period in Table 3 (see next page).

As indicated above, NGO roles and emphases changed with the changing circumstances, needs and opportunities. These NGOs did not follow Korten's organisational development phases in any ordered way. Rather, they were adaptive and responsive to the context in which they found themselves, shifting roles as they assessed that the circumstances required. Thus Korten rightly pinpoints NGOs as organisations of change and adaptation, but this study shows that in contrast to Korten's rather evolutionary approach to NGO stages, Timorese NGOs undertook roles in at least three of Korten's phases (i.e. relief and welfare, community development, and sustainable systems development) often almost simultaneously. At the beginning of the study period most were involved in either humanitarian or human rights documentation case work, clandestinely supporting the people's movement for independence. That is, through these activities, they were contributing to a social movement (the final stage in Korten's typology). But when opportunities arose to influence the institutions of the new nation, they were quick to shift towards advocacy

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<sup>390</sup> NGOs as organisations were not directly involved in peace negotiations in East Timor, although the church played an extremely important role in the lead up to the UN-supervised ballot, with its Dare meetings, and individuals associated with NGOs were involved (Crowe 1995, Cristalis 2002, Kohen 2001).

<sup>391</sup> Hulme and Goodhand identified NGOs involved in: mediation/conflict resolution; building peace constituencies; demobilisation; human rights monitoring and protection; constitutional reform; local capacity building/institutional strengthening; socio-economic development; reconciliation; judicial reform; supporting local leadership; and advocacy/education. Leonhardt et al found NGOs: providing input to the peace negotiations, addressing past violations, promoting specific issues relating to the justice system and impunity, promoting community dialogue and debate on violence and political issues, promoting women's rights and roles, assisting peasants to have a voice, and supporting returning refugees.

and education for sustainable systems development at the national level.<sup>392</sup> At the same time, they were building up their community development projects and approaches. The context affected their specific objectives at any time and the roles they would play.

**Table 3 Summary of NGO roles throughout the study period**

- *Emergency response:* humanitarian work (food, medical, shelter etc.), supporting IDPs and returning refugees;
- *Human rights and legal development:* human rights work and legal protection, addressing current and past violations, promoting specific issues relating to the justice system and impunity, education and advocacy around constitution making, promoting women's rights and roles in decision making;
- *Community education:* information provision and education, civic education, assisting rural people to have a voice and helping them with problem solving, as well as dealing with aid dependency;
- *Conflict resolution and conflict management:* assistance with demobilisation, reconciliation, dealing with land conflicts, information provision, community conflict resolution, promoting community dialogue and debate on violence, human rights and other issues;
- *Economic development:* activities such as agriculture, weaving, marketing, tourism development, and other livelihood activities;
- *Social development:* literacy work, water supply and sanitation, health activities;
- *Psycho-social and cultural development:* Tetum language, weaving, trauma counselling and related programs;
- *Advocacy and research* on a range of issues arising from the above work.

<sup>392</sup> For example, HAK was quick to work towards a state with a Constitution and laws which embedded human rights; FOKUPERS was working towards an effective legal and support system to deal with violence against women; Caritas Dili was assisting the Government to develop the system for TB prevention, treatment and control; SAHE was advocating for a national literacy programme; Timor Aid was promoting national civic education curriculum.

It is also evident that since many former students created new NGOs in early 2000, the energy of the people's movement, which had achieved its single goal of independence, quickly dissipated, and in time, as donor funds reduced, many of these new NGOs also became defunct or closed down altogether. NGOs did not lead or generate a people's movement (in this case a movement for independence) as suggested by Korten, but they were contributors to it. Most of the NGOs operating in the earliest period had a symbiotic relationship with the people's movement for independence. Some NGOs helped the clandestine movement within East Timor; others grew out of it, including its exiles, and some NGOs benefited from the leadership provided by a number of independence activists who found in NGOs a site from which they could contribute to the creation of their nation. However, it could be argued that NGOs were influential in taking up the women's struggle within and beyond the independence movement. Since 2000 the members of the REDE network have certainly sustained the women's movement in its continuing struggle for greater gender equality.

The findings also strongly endorse Fisher's point that 'to govern is to structure the field of possible actions of others' (Fisher 1997:458) since the changing national governance regimes they experienced between 1999 and 2004 clearly had a major impact in structuring the possible roles which NGOs could effectively play, and the strategies they subsequently adopted. However, they also shifted their own civil society governance to some degree by forming NGO networks to enable them to more fruitfully engage with parts of the Government than most could have done alone. It is also clear that the NGOs in this study were to greater and lesser degrees, and in different ways, trying to be transformative of their society. FOKUPERS' attempts to empower women through their campaigns against domestic violence were probably the most significant, though HAK's efforts to entrench a broad human rights culture also envisaged a major transformation. SAHE, and in the later period Caritas Dili, tried to empower communities, although the latter in particular was finding it difficult; Timor Aid's work to transform language use to Tetum and to build on traditional weaving to generate income was transformative in terms of cultural development, in contrast to the

colonial period during which Timorese culture had been ruthlessly suppressed. However, all these transformations would take many years.

### **9.3 How the changing context affected the NGOs capacities**

Experience among Indonesia's NGOs, following its own transition to democracy, indicates that local NGOs were struggling to reorient themselves to new roles and new partnerships, that their accountability was weak, coordination poor, and they could be distant from the rural poor (Antlov, Ibrahim and van Tuijl 2005); they did not have the capacity to shift the policy agenda, were overly reliant on foreign donors and some were struggling financially (Rosser, Roesad and Edwin 2005). Some of this is also true for East Timor's NGOs, who have undergone a much more complex and dramatic transition.

As the political environment in East Timor changed over the five year period, and NGO roles changed, they had to be highly flexible and adaptable in structure and strategy, constantly restructuring and reorganising to retain relevance and influence. Their visions and missions became more specifically articulated as the context changed, although all of the case study NGOs remained true to the development and human rights values and issues which initially stimulated their formation. It was their strategies and approaches that had to change. These organisational changes in turn demanded a whole new repertoire of skills to enable NGO staff and volunteers to address new situations and problems. Much of that learning had to take place 'on the run' during these fast-paced transitions, when NGOs were already under considerable pressure. Furthermore, this learning had to be constantly renewed because in many of the organisations staff and volunteers changed as organisations expanded and contracted with funding available—in some NGOs, staff turnover was at times considerable, and training new recruits a constant challenge. A number of former NGO leaders moved into key government or parliamentary positions; others were offered scholarships and went overseas to study for lengthy periods. In some cases this

weakened NGOs, at least temporarily, but generally new leadership emerged and the team within the NGO sustained the work. All of the case study organisations undertook organisational restructures or reconfigurations, often major ones, and in some cases two or more in the period of study, in addition to less significant organisational adjustments which they made frequently. These were initiated as context changed and the staff (and volunteers) realised that they would have to reassess their goals, their strategies, and hence the organisation's structure to support any changed strategy and program configuration. At times a crisis, such as a change in funding levels, precipitated the structural change. Thus the area which most found constantly challenging was that involving people and systems of management. Yet all the case study NGOs had a leadership group with a broad vision about the province's, later the country's, future and how their organisation might contribute to it, combined with the flexibility to respond to opportunities to advance in that direction. These leaders had a capacity to analyse this complex and evolving context and respond to it in the ways they thought appropriate.

In light of the challenge of NGO survival (Banerjee 2003:6), it is worth reflecting on how they developed their capacities through this period of intense change. Two important survival capacities seemed to be associated with the areas of relationships and resources. These NGOs developed their capacities for external relationships, initially with INGOs and other potential allies, later with other organisations, Timorese and international. Their early relationships were often strongly based on trust and common vision (e.g. towards self-determination), but the changing environment soon involved NGOs in managing multiple new relationships with international donor organisations, bilateral, multilateral and non-government, from many different nations, and in some new languages. Partnering and negotiations with diverse organisations, if not entirely new to some, developed at expanded levels and often with new organisations. Managing new donor arrangements with diverse accountability and funding requirements, mostly in English, was challenging. Often essential skills to deal with outsiders and donors (e.g. English language, and report writing) were confined to a very small number of usually senior NGO staff already under intense pressure.

Financial and narrative reporting requiring higher level project management skills had to be strengthened considerably, as donors changed their expectations and began to demand more of the NGOs in the new context. Timorese NGOs needed stronger organisational management systems, financial skills, the ability to communicate with foreign agencies in English, and greater expertise with information technology. Even those working only with INGOs found project management requirements becoming more onerous. At the same time some donor funding of NGOs—swamping an NGO with few management systems, only providing short-term program funding with insufficient support for staff and organisational development, or unexpectedly changing established funding arrangements which an NGO had come to rely on—also affected NGO organisational capacities. Equally, NGOs unable to predict and adjust to possible shifts in donor strategies by forming new donor relationships were potentially in jeopardy. Similarly, NGOs which struggled to maintain donor confidence in their management and reporting were at risk of experiencing reduced funding support.

At the same time relationships with the community and local NGOs and CBOs were an important strength in the capacities of the well-established and better-known NGOs (especially ETADep, HAK and Caritas Dili among the case study NGOs). They had extensive relationships at local level, generally enjoyed a high degree of community trust and legitimacy, and compared to other foreign agencies, had a deep knowledge of the country, including the political, social, cultural and economic context, and many local contacts. Despite this, they also struggled with the challenge of community trauma, conflicts and jealousies and the difficulties of making groups function effectively. There were many areas in which they knew they needed greater staff skills and organisational capacities.

#### **9.4 NGOs developing their capacities**

During the study period official donors and INGOs used various capacity development strategies and approaches to help strengthen Timorese NGOs. Apart from funding, these included partnership projects between INGO and LNGOs, many training

workshops on development issues (such as human rights, organic agricultural strategies, advocacy, gender, civic education) or project management (project management, financial management, information technology, English language), exchanges and networking. The capacity development strategies which case study NGOs reported to be of greatest value involved relationships, networking and exchanges, accompaniment and mentoring, and reflective learning.<sup>393</sup>

#### *Relationships, networks and exchanges*

It is important to note that linkages with international development and human rights NGOs have been an important factor in the emergence, development and strategies of local NGOs in East Timor from the outset (for examples of NGO links with US organisations, often through Indonesian NGOs, see Simpson 2004). Of the six NGOs studied in depth, four—HAK, FOKUPERS, SAHE and ETADEP—were strongly oriented to Indonesian networks, Timor Aid was strongly connected to Europe and Australia, and Caritas Dili to international Catholic networks, especially those in Europe, Australia, New Zealand and the Philippines. Other LNGOs interviewed were similarly connected and described how these relationships contributed to their work.<sup>394</sup> Despite the rupture of September 1999, NGO relationships with Indonesia remained strong. Because of the shared language, familiar context, and trust developed in the Indonesian period,<sup>395</sup> Timorese NGOs preferred to have Indonesian NGO trainers, attended NGO conferences, and made study visits to Indonesia (e.g. to learn about financial self-reliance, agriculture, traditional medicine, gender etc.). There is no doubt that a strong affinity remained with Indonesian NGOs, and those Timorese NGOs initially established with Indonesian NGO support continued to receive assistance from their Indonesian colleagues as required.

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<sup>393</sup> Note that I have not made an assessment of NGO capacities against any particular criteria. This section is derived from interviews with NGO respondents and reflects their assessments of what was most useful to them in developing the capacities they assessed that they needed.

<sup>394</sup> For example, respondents 53,54,45,67.

<sup>395</sup> Respondent 16, a senior INGO staff member, emphasised that capacity building did not work unless trust existed, and people known in the resistance period were trusted.



At the same time new linkages were formed, particularly with NGOs from Latin America, the Philippines and other parts of South East Asia. International NGOs brought to East Timor connections to a wide range of organisations across the world, and selectively drew on those to help Timorese NGOs build their capacity to address the specific issues emerging in East Timor over the period. One can trace the emergence of Dai Popular (Durnan 2005), and the Men Against Violence group (de Araujo 2004), specifically to such linkages which international NGOs fostered.<sup>396</sup> HASATIL also developed through a linkage between an Australian permaculture activist who volunteered with Timor Aid and a Timorese man who then studied permaculture and became the first HASATIL coordinator.<sup>397</sup>

Nationally the development of a number of significant networks which included local NGOs (and in most cases included, or had support from international NGOs) made a considerable contribution to capacity development in areas of sustainable agriculture, gender issues, popular education, and advocacy (e.g. about Timor Sea and World Bank matters, human rights issues). These national networks have in turn fostered international networking with ‘peers’ in other developing countries and thereby brought important international experience to Timor-Leste.<sup>398</sup> Local NGOs gained ideas and learned from others’ experience—as all the case study NGOs recognised, learning has occurred between these national networks and individual Timorese NGOs, Indonesian NGOs, or NGOs from other developing country contexts.

International networking with ‘northern’ NGOs and others, notably where international funding support was reliable, over at least a three year timeframe, where there was good communication in their own language, and where the support facilitated their directions, was also highly valued and contributed to capacity. Time spent by these organisations in developing good relationships with Timorese was really important.<sup>399</sup> This type of support enabled local NGOs to review or evaluate their work from time to

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<sup>396</sup> Respondents 13, 76, 77.

<sup>397</sup> Respondent 68.

<sup>398</sup> Respondents 76, 77 strongly emphasised the value of these networks and connections.

<sup>399</sup> Respondents 76, 77 and 23 were among several respondents who made this point.

time and develop new strategies. Examples include NOVIB's relationship with HAK and FOKUPERS, and Caritas New Zealand's relationship with Caritas Dili. However, not all the relationships with 'Northern' NGOs were entirely successful. Where Northern NGOs had unrealistic expectations about capacity levels,<sup>400</sup> or tried to promote their own agendas or models over those of the Timorese NGOs, the relationships were less than satisfactory, and in once case in this study, a partnership was ended by the Timorese NGO as a result. Success was more likely where the international NGO, through processes of review involving the local NGO itself, fostered critical thinking about approaches and programming, which might lead to improvements initiated by the local NGO.

A particular type of networking is exchanges, by which is meant visits by NGOs or community members to different parts of the country or the world. Capacity developed from NGO exchanges—both inward by NGO or community activists from other (usually developing) countries to East Timor and outward, to other developing countries facing similar issues. Sometimes these were facilitated by INGOs that could identify potential organisational exchange opportunities to address particular problems or contexts facing Timor-Leste NGOs. Internal exchanges within Timor-Leste were also used successfully to demonstrate new ideas, agricultural techniques or other technologies, for example between farmer groups.

#### *Accompaniment /mentoring*

The term 'accompaniment' was used by some of the NGOs. It referred to the placement of people with specific expertise and experience in the NGO to work alongside the local staff and share skills, experience, and strategies with them, often on a local wage. This was long term assistance—from one to three years, or longer in some cases—and it required particular sorts of experienced or skilled people to do it well, supporting local development rather than taking over. Such people worked together with the local staff on the same programs. This involved passing on particular professional experience (e.g. legal expertise to a human rights organisation or

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<sup>400</sup> Respondent 22.

organisational and project management expertise, for example). Several examples of this strategy were highly valued and successful in building local capacity, in situ (examples included in Timor Aid, Caritas Dili, FOKUPERS, HAK,<sup>401</sup> and ETADep). In one case, (Caritas Dili) such a person also worked with a wider network of international specialist health support to the local staff. Case study NGOs reported that some of the strongest capacity developed where this strategy was used, as it was a sustained, steady approach which allowed people to learn and develop at their own pace, and organisational systems necessary to support them were built steadily.

### *Reflective learning*

For a number of NGOs, a very important driver of their learning was regular sharing among themselves—analysing the context and solving problems together; sharing learning from training individuals had attended, sharing skills and knowledge with each other. Having regular ‘review’ meetings, monthly, six-monthly or annually; having special externally-facilitated reviews, strategic planning workshops and the like, were all valued and NGOs saw these as major ways in which they developed capacity. HAK, FOKUPERS, SAHE, and to a lesser extent, Timor Aid and Caritas Dili all used many of these processes. Capacity also developed from organisational restructuring following reviews, so that structures no longer suited to previous periods were changed to address future needs.

Some NGOs also learned from the community itself. For example, they learned how earlier reformers had developed literacy and related programs, and then developed programs based on these earlier methods (SAHE). They also developed capacity by researching the communities they worked with, reviewing their programs, exploring community priorities, learning from past mistakes and adjusting strategies in response (FOKUPERS, Caritas Dili, ETADep, Timor Aid). In some cases they did some of their learning in partnership with a government department (e.g. ETADep with the Ministry of Agriculture). Overall, the capacity development which seems to have been most successful is that which NGOs developed internally, often with support of enlightened

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<sup>401</sup> HAK had a volunteer foreign lawyer for a lengthy period (respondent 56).

international NGO partners. Helping emerging or re-emerging NGOs make assessments of their changing context, and transforming and re-skilling themselves to keep pace with the transitional processes, was an important aspect of capacity development. It seemed that organisational adaptability was facilitated and stimulated by such international networking and deliberate learning and capacity building processes. In contrast, little of the formal training offered to NGOs focussed on either organisational change management or community development approaches in post-conflict environments. Yet these were critically important skills needed by NGO leaders and key staff.

Ironically, as the more capable NGOs were surviving, and had learned a great deal from the past five years to shape their future contributions to the nation, their resource capacities were shrinking. Financial and other resources, which came both from international non-government agencies and from bilateral and multilateral donors who saw the value of civil society organisations, have been crucial to the capacity of Timorese NGOs. While many were trying to generate income, they were mostly heavily reliant on international support for their programs. Those which survive are likely to be those local NGOs which have used the period since Year 2000 to consolidate strong partnerships with international NGOs committed to Timor-Leste for the long term, or those service delivery NGOs which official donors can engage as part of their programs, although this remains a risky strategy as official donors reduce their focus on civil society. The likelihood of the Government funding NGO programs seemed patchy at best as this study concluded. While government support was forthcoming in a few areas, such as work with the disabled, at the end of 2004 there was no clear policy basis to underpin the Government's approach to its potential civil society partners, nor any concerted donor strategy to foster one, with the exception of UNDP's efforts which remained somewhat frustrated.<sup>402</sup>

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<sup>402</sup> In late 1997, following a change of government in 2006, it seemed that the Xanana Gusmao-led Government was likely to fund NGOs and the Church in its budget. The details were not yet available however (Personal Communication respondent 102, 6 January 2007).

## 9.5 Conclusions

The research has demonstrated the experiences of NGOs in one rapidly changing context, negotiating their way through the shifting sands of multiple transitions and a multitude of new relationships. It reinforces Fisher's perspective that what is important to the study of NGOs is the 'fluid web of relationships' within which they operate and indicates that they are highly adaptive. The NGOs which were central to this study certainly saw themselves as challenging (Indonesian) power at the outset, and in various ways most of them remain committed to transforming East Timorese society in some way—by empowering women, ensuring people are more aware of their human rights, or addressing rural poverty directly through programs (such as agricultural or other livelihood projects) and through advocacy; their relationships with international and Indonesian NGOs which shared such concerns and approaches appeared to be very important for them, as well as their networking with other Timorese NGOs.

This study also strongly affirms Smillie and Hailey's assessment that change management is a major feature of NGOs and that 'balancing diverse challenges is the key to NGO management' (Smillie and Hailey 2001:3). NGOs which pre-existed the crisis and played a range of roles in the struggle for liberation were largely excluded from the emergency response immediately after September 1999 (except for Timor Aid). However, they regrouped and played important roles in the state building phase during the UNTAET period. Then roles and relationships changed again following the shift to the new government, but gradually confidence and relationships were building; however future NGO roles were far from clear in early 2005. The first Timor-Leste Government had no clear position about its relationship with NGOs or their role in development. In their relations with the community, NGOs were grappling with the aftermath of the Indonesian period and emergency period—which created dependency—and facing the challenge of community development. Official donor interest in NGOs which was generally project based and short term, appeared to be waning just as NGO capacities were strengthening and they had something more to contribute. Change was a constant for these NGOs; they were constantly challenged to

assess and reassess the context in which they were operating, and to adjust their strategies and relationships to match. While they felt that donors tended to focus their concerns on reporting and financial accountability, the NGOs were struggling to make their community based programs work, undertake effective advocacy, manage constant organisational change, build the capacities of their staff and volunteers to undertake everything from basic administration to conflict resolution, proposal writing and high level lobbying, and generate funding to sustain their activities. They used relationships and networks, ‘accompaniment’, and learning from each other and the community to build their capacities.

The final chapter turns to reflect on these findings in light of experiences elsewhere and theories about NGOs and civil society in development, democracy and peacebuilding. It demonstrates how the detail of the case studies contributes to established theory by suggesting that civil society and development practice, which has been strongly based on de Tocqueville’s approach to civil society, is not particularly helpful in a post-conflict setting. Instead, an adapted Gramscian approach, viewing civil and political society as interrelated sites in which a struggle to embed non-violent means of apportioning power is being waged, could be of greater analytic and practical value.

## **CHAPTER TEN**

### **NGO CONTRIBUTIONS IN POST-CONFLICT TRANSITION: THE CASE OF TIMOR-LESTE**

This chapter discusses the extent to which NGOs contributed to democracy, development and peacebuilding in the post-conflict transitional environment of Timor-Leste. It draws on the six case study NGOs as well as data from other sources, including interviews, to reflect on some of the key issues which research in post-conflict or transitional settings elsewhere raises. It thus seeks to answer the question, ‘How does the actual experience of these local East Timorese NGOs relate to theories about the roles of civil society and NGOs in various phases of transition to democracy, nation building and post-conflict peacebuilding?’ posed at the outset. This research documented the work of six significant East Timorese NGOs through this critical period, and situated this within the wider civil society and transitional environment.

#### **10.1 Local NGOs and the transition to and consolidation of democracy**

NGOs clearly played a supportive role in the transition to democracy, particularly from the mid-1990s, along with the higher profile role of the national political movement, the CNRT, and the three arms of the liberation struggle: the diplomatic front, the clandestine front and the guerrilla fighters. Some Timorese NGOs had been formed for humanitarian purposes (e.g. ETADEP, Caritas Dili, and the Protestant church NGO, Yasona), but in conducting their vital work contributed to the political struggle for independence, conveying information, supporting agriculture in areas which might feed the fighters; and caring for the injured through health services. Caritas Dili, through its church links, gave particular help to resistance leaders. Others, such as HAK and

FOKUPERS, were formed to protect political activists by advocating for their human rights, and assisting the victims of violence and their families. Through their external linkages to NGOs in Jakarta and other parts of Indonesia, and from there (or directly) to the global NGO world, Timorese NGOs played a vital role of information dissemination about the human rights violations and climate of fear and repression which engulfed the place. In this way, they helped the international NGO community keep up the pressure in international fora, particularly following the 1997 Asian crisis (Simpson 2004). As the process of self-determination was underway, NGOs, the church, students and women's groups were the ones who disseminated information to the population about the August 1999 ballot, fanning out across the country in very repressive circumstances to inform and educate the population about how to register and vote. Thus while local NGOs were only one part of the mix of national and international efforts to force Indonesia to give East Timorese people their act of self-determination and their own nation, they played important supportive roles in the democratic transition.

#### *NGOs consolidating democracy*

After the ballot, and once recovery from the emergency was over, NGOs made contributions to shaping the Constitution and had some input to the processes of forming the state, through their representation on the NC and NCC, and in a variety of other ways outlined in previous chapters (see also CRS 2004). Their role was to encourage a more inclusive process, to try to entrench human rights, and to stimulate community discussion about the issues involved. The UNTAET period was the most inclusive of NGOs and their expectations about their roles in a more democratic setting were crystallised during this period. It was one in which they had a voice, some clear avenues for input to decision making, and some active networks and working groups for formulating NGO positions on key issues. Throughout this phase and the period since independence, particular NGOs have tried to play what White referred to as a 'constitutive' role (G. White 1996)<sup>403</sup> to embed a new culture of respect for human rights, including women's rights, and non-violent resolution of conflict. In this work

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<sup>403</sup> See Chapter Two.



they have been (i) trying to set limits to state power, but also (ii) encouraging the state to set limits to the power of other parts of civil society with a propensity for violence. It is early days to assess the role of NGOs in helping to consolidate democracy. Political society remains conflictual, as struggles for power are played out among political elites and their followers. Democracy provided space for political differences to emerge or re-emerge, and the violence which erupted in 2006 made it clear that respect for human rights and commitment to non-violence have yet to take root across the society. NGOs' and others' efforts were insufficient when particular political and security sector leaders violated these norms.

NGO experience also indicates that democracy is a complex idea and is only barely functioning. This is an environment in which western-style democracy is quite foreign, and more traditional power structures remain actively in place (Ospina and Hohe 2002). Beyond elections, NGOs tried to weave some functional processes on the ground to solve real problems facing citizens in particular locations, through bringing together different local players (such as traditional leaders, UN or government administrators, and various citizen groups) helping citizens adjust expectations of their new state, and urging the state to respond to the challenges its citizens are facing. They encountered a number of problems, among them, the centrist tendencies of the state and the lack of decision making capacities in districts (during the UNTAET as well as post-independence periods), and the Government's weak capacity and inability to respond in a timely way to problems citizens faced. A series of studies commissioned by the international NGO Catholic Relief Services (CRS) about democracy and advocacy in Timor-Leste found that, while government officials and parliamentarians recognised that 'NGOs have insights and experiences that are valuable for national development and that they have the ear of the people', unfortunately:

There are no (or very few) formal channels for NGOs to meet those who are responsible for the laws, policies and practices in Timor-Leste. NGOs therefore find it difficult to put a point of view, or the point of view of those on whose behalf they speak, to those who have power in the country' (CRS 2004:3).

Their experience suggested that two years' into nationhood, democracy had little meaning at the grass roots, and NGO attempts to mobilise citizens for advocacy had so far been rather ineffective due to the lack of state capacity to respond. On the other hand, by providing draft legislation to a Minister or to FRETILIN, the ruling political party in the first independent Government, a few NGOs were able to take the opportunity of this centrist approach to influence the legislative agenda. FOKUPERS' experience with the draft Domestic Violence legislation was one example of this. This is consistent with experience elsewhere which suggests that civil society action is shaped by its interaction with the state (Choup 2003, Harvey 1998, Pearce 1999, Brinkerhoff 1999).

The emerging NGO-government dynamic in East Timor also has to be situated within a generational context. Most of the NGOs were formed and led by young people and students brought up during the period of Indonesian rule. Their continued affinity with Indonesia is a feature of this 1999 generation of activists, many of whom were very critical of the Timor-Leste Government's orientation towards Portugal, particularly its decision to use Portuguese language, which signalled to them a sense of exclusion from democratic debate (Bexley 2003). Prior to this, Timor Aid was first to support and promote the development of Tetum language, which became the other official language of East Timor, though there was little written material and virtually no books. It was also one of the SAHE members elected to the Constituent Assembly who co-sponsored the motion to make Tetum an official language in the Constitution.<sup>404</sup> This language acts as an important intergenerational bridge between the Portuguese speaking older generation and the Indonesian speaking younger group, and functions as a lingua franca across much of the multilingual nation. Its symbolic status as the language of resistance during the occupation is also significant (Taylor-Leech 2005). While this language development work has now been taken over by the Government, Timor Aid continues to publish new Tetum material. Thus a local NGO helped establish this

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<sup>404</sup> Email communication from Helen Hill 22/3/08.

important government program and continues to contribute to democratic and inclusive nation building through language material development.

Strong linkages and partnership between the Government and NGOs could play a valuable role in building social cohesion across the generations, with their different language and international orientations. However in its early years the Government was ambivalent towards NGOs and many NGOs were unclear about the roles they should play, an attitude reinforced by their uncertainty about how the new Government would respond to them. NGOs which had only experienced repressive government had no blueprints or models to follow for a different type of relationship between themselves and the new Timor-Leste Government. Despite this, and the lack of a strategic governmental approach to NGO engagement, NGOs have largely strengthened the new state in a number of ways.

#### *NGOs strengthening the state*

Significantly, once the opportunity arose, a number of NGO leaders joined the emerging Government or key state institutions in important leadership roles. Three took up senior positions in the Ministry (e.g. as Health Minister, Vice Minister for Justice and Secretary of State for Labour and Solidarity respectively). Others became senior bureaucrats, such as the Prime Minister's Human Rights Adviser and the head of the Office for Promotion of Equality. These roles offered them the opportunity to utilise leadership skills they had developed in NGOs, and offered them scope to develop their ideas into policies and programs for the nation. Eight former NGO leaders were also elected to the 88-member Constituent Assembly in 2001, on various party lists.<sup>405</sup>

A number of NGOs worked with reform oriented parts of the Government to try to establish new social norms of respect for human rights and gender equality. HAK assisted the highly-regarded first President with his Commissions for Former Combatants and Veterans, and helped the Justice Ministry to resolve difficult land

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<sup>405</sup> Respondent 92. Of these, six represented FRETILIN, one PSD and one PD.

disputes. Similarly KSI, a research, conflict resolution and advocacy NGO formed in September 2000, worked on land issues and promoted a land reform law to the Constituent Assembly in 2001. This was to strengthen Timorese people's hold on their land in the face of threats related to earlier Indonesian and Portuguese titles. HAK and other NGOs also helped with judicial reform and monitoring the weak judicial processes. Ribiero and Magno (2004:36) considered that some NGOs (such as SAHE, KSI) whose ideology was congruent with that of FRETILIN, the party which formed the first Government, were more likely to influence FRETILIN politicians. Interestingly, in April 2005, when a Catholic Church-sponsored protest, apparently about the Church's wish to see religious education made compulsory rather than optional in school curricula, brought thousands to Dili, HAK supported the Government against the Church.<sup>406</sup> These NGOs supported the Government because they believed it had legitimacy; as one NGO leader said, 'if this Government loses the trust of the people there would be no other government with the moral authority.'<sup>407</sup> NGOs were keen to make independence work; they saw that a stable, effective government which promoted human rights, had the capacity to solve community conflicts, and could empower East Timorese people, was essential—so they were working towards this.

Ribeiro and Magno (2004:35) however, suggested that the Government of Timor-Leste may have seen advocacy NGOs, particularly those concerned with democracy, human rights and justice, as opponents. Certainly some NGOs found it hard to change from an oppositional role in Indonesian time, to openness to other possibilities with their own government.<sup>408</sup> Some also believed that donors and international NGOs were

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<sup>406</sup> This was a three-week demonstration outside the Parliament, which involved thousands of people. The church and the government are the two strongest civilian institutions in Timor-Leste. HAK and a 'Committee in Defense of Democracy' argued that the church had misled the people, and was allowing itself to be used by other parties, that the demonstration was being supported by the US ambassador (which the US Embassy subsequently denied), and that the church should be promoting dialogue, not protest. What the 'Committee in Defense of Democracy' failed to do was to educate the people about the separation of church and state in the Constitution, although it stated that the church's action was unconstitutional (Komite Defeza ba Demokrasi 2005).

<sup>407</sup> Respondent 73.

<sup>408</sup> Respondents 80, 90, 72, 13 and 16.

unhelpfully encouraging NGOs to be anti-government,<sup>409</sup> perhaps because they were fostering western-style advocacy. Clearly in Timor-Leste personal relationships, family histories, the legacy of old power structures and resistance involvements were among the factors which affected how (and whether) people influenced others after so much turmoil. Individual NGOs had close relationships with a few Ministers or other key insiders, but relations with Parliament were weaker than in the CA period, perhaps because FRETILIN's dominance restricted debate about alternative policies; however NGOs certainly responded to invitations to speak to the Parliament's Commissions (Guterres and Pinto 2004).

There were also signs in 2003 that a few NGO leaders were aligning themselves with parties other than FRETILIN (such as PD and PSD),<sup>410</sup> a trend the Government was wary about, and an indication that the boundaries between political and civil society were not always entirely clear. The perception that NGOs were really the opposition in disguise was fostered when at one stage a number of NGO people, including in the leadership of the NGO Forum at that time, were known to have PD affiliations. The NGO Forum was not invited to represent NGOs at least one donor conference in 2003 as a result, and the pro-FRETILIN 'Farol' NGOs distanced themselves from the Forum.<sup>411</sup> The NGOs themselves were becoming politicised and somewhat fragmented.<sup>412</sup>

Yet in fact there was little open NGO criticism of the Government except in a few areas. The clearest differences emerged between human rights NGOs and the Government in relation to the campaign for an International Tribunal to bring to justice those responsible for major human rights violations (Sarmiento 2005). NGOs perceived

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<sup>409</sup> Respondent 86.

<sup>410</sup> Respondent 8 and 78.

<sup>411</sup> Respondents 13, 7, 78, although one respondent believed that former RENETIL members involved in the 'Farol' NGOs, were still perceived by Government to be pro-PSD or PD, and hence, anti-government. In 2003 La'o Hamutuk was invited to represent NGOs in place of the NGO Forum at the donor conference.

<sup>412</sup> This point was made by respondent 73 at an informal Discussion Session about Civil Society in Timor-Leste held in Dili on 18 June 2004, with visiting students from Victoria University in which I participated.

that the national leadership tended to defend ‘the importance of national interests and diplomacy over the importance of human rights and justice issues’ (Ribeiro and Magno 2004: 36). NGOs, on the other hand supported the victims who continued to seek justice (Kent 2005). Related to this, and NGOs’ concerns about impunity for the perpetrators of the worst violations, has been Timorese and Indonesian NGO criticism of the establishment of a Commission of Truth and Friendship by the Indonesian and East Timorese governments.<sup>413</sup> Other criticisms related to specific laws which were perceived to breach basic human rights,<sup>414</sup> and some limited concerns about economic development strategies.<sup>415</sup> Some NGOs have also been concerned about corruption and abuses of government power,<sup>416</sup> but seem to have found these issues difficult to address.

It appears that generally NGOs had little leverage to hold government to account, thus this aspect of their role in democracy seems overstated in the NGO and democracy literature compared to their actual capacity in Timor-Leste. For example, Burton reported that:

a 2004 World Bank governance issues paper found that a strong Executive arm of government is emerging in Timor-Leste but institutions such as the media, President’s Office, local government, independent oversight institutions and civil society remain weak and under-funded (Burton 2005:6).

She noted the undesirable situation that ‘Timor-Leste’s bilateral and multilateral development partners, together with UNMISSET, appear to be the strongest functioning accountability mechanism for central government’ (Burton 2005:6). Civil society was clearly too weak or unwilling to fulfil this role.

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<sup>413</sup> In 2005 a joint statement critical of this initiative was signed by, among others, HAK, FOKUPERS, and SAHE, along with four other Timorese NGOs and six Indonesian NGOs (Global Policy Forum 2004, ETAN 2005).

<sup>414</sup> See for example HAK’s criticism of the proposed Immigration Law, *Newsletter HAK*, No 1, 2003:1.

<sup>415</sup> Respondent 73 described efforts to promote cooperatives; respondent 36 discussed NGO efforts to foster better marketing systems.

<sup>416</sup> Respondent 88.

Government itself, while recognising the valuable work of NGOs, and allowing some of them use of public buildings,<sup>417</sup> was also critical of them in relation to their own transparency and accountability for funds, and, in some cases, for their lack of preparedness to coordinate with Government and other agencies, as well as the possibility that some (perhaps businesses purporting to be NGOs) were abusing tax concessions on imports (Ministry of State Administration 2005:6).<sup>418</sup> As mentioned before, Government may also have seen some NGOs as political opponents, or as unnecessary, given that a Timorese Government now existed.<sup>419</sup> The Prime Minister was reported to have claimed that some NGOs were simply corrupt stooges of foreign donors.<sup>420</sup>

Yet there were areas where there was effective collaboration between NGOs and the Government, and it was noticeable that these reflected the close personal relationships which existed between the key players before the 1999 rampage. As one experienced international NGO staff member commented, 'East Timor works on personal relationships,'<sup>421</sup> and thus it was unsurprising that this *modus operandi* would shape Government-NGO relationships<sup>422</sup> (see also Ribiero and Magno 2004:36). These government officials were previously strongly connected to NGO and activist networks in the resistance; they understood and trusted NGOs and were happy to work with them. The same may be less true for other areas of the Government, which still retained

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<sup>417</sup> The 'Farol NGOs' are all in buildings which the government now owns; Halarae is in the upper floor of the Ministry of Agriculture, Fisheries and Forests building.

<sup>418</sup> It is likely that some organisations which are actually private businesses, are registering as NGOs to gain these concessions, thus sully the reputation of genuine NGOs. Respondents 72, 75 and 90 were among several who indicated that some NGOs did not know how to move from protest mode to working cooperatively with government.

<sup>419</sup> Respondent 17, 74.

<sup>420</sup> Respondent 13. By 2004 this respondent felt that political space for civil society was becoming a major issue.

<sup>421</sup> Respondent 19.

<sup>422</sup> For example, the Vice Minister for Justice was a former human rights NGO leader, as was the Prime Minister's Adviser on Human Rights and his Adviser on Promotion of Equality, who was formerly a leader in FOKUPERS. The Minister for Health was a former Caritas East Timor (now Caritas Dili) doctor, while two other Ministers in the first Government (Agriculture, Forestries and Fisheries, and Labour and Solidarity) had close associations with international NGOs during their periods in exile, and the latter led the East Timor NGO Forum during 2000-2001. The President was also clandestinely networked to Timorese student activists in Indonesia during his time in jail in Jakarta, and so was keenly aware of the roles they played (Sword Gusmao and Lennox 2003).

some scepticism about, and distrust of, NGOs. These findings are consistent with Brinkerhoff's (1999) finding that trust is critical to successful government-civil society partnerships. It is also interesting to note that quite early on the Transitional Government appeared to be aware that the work of NGOs, especially international NGOs, could undermine its own legitimacy and perhaps compete with it for donor funds. It was quick to ask foreign health NGOs to leave East Timor once the emergency was over, as it wished to run the very limited health system itself and felt INGOs, among other donors, had different approaches and priorities and ran only short-term projects, complicating health administration (van Schoor 2005, World Health Organisation 2004).<sup>423</sup> However, the Government later worked closely with INGOs where they complemented its capacity (Snell et al. 2005, World Health Organisation 2004).

But perhaps the most interesting aspect of the NGOs' relationship with the state relates to NGOs' tendency to raise with the community the meaning of 'self-determination'. In this NGOs could thereby be seen to be both 'mediating the community's demands of and interactions with the state' (G. White 1996) and supporting the neo-liberal model of the state so radically different from the all-powerful, repressive, developmentalist state of Indonesian time, or the more engaged citizenship model of UNTAET's period. By mid-late 2004, NGOs were recognising that efforts to enable communities to advocate to the state were ineffective at local level, and were frequently ineffective even when raised by them or on their behalf in Dili. State resources in the early years were so tightly constrained, and government capacity so limited, that many of the community's needs could not be addressed. To the extent that NGOs were encouraging communities to be more self-reliant and to seek their own solutions to problems, rather than wait for government to do things for them, NGOs were reorienting communities to a new norm of 'community-level self-determination', and hence reducing expectations of the state. In doing so, they were also, in effect, supporting the shift to a minimalist state, which the international donors, particularly the IMF and World Bank,

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<sup>423</sup> Foreign health NGOs were asked to leave by the end of 2001, prior to Independence. This occurred while I was in East Timor working with the East Timor NGO Forum.



desired and tempering community expectations of their government. Timor-Leste's Government was emerging in a period in which global actors, who were supporting its early development, were operating a minimal state model (Pearce 1999); this Government also had weak capacity, yet the poverty and destruction of infrastructure and services demanded a stronger role for the state if peacebuilding was to succeed. NGOs had advocated against such a minimalist model in donor meetings, emphasising a more human development approach, with greater government investment in rural areas and essential services. But rather than mobilise the community to force a change, they shifted strategies themselves. This perhaps reflected their concern to maintain the stability of the Government and/or their frustration with their own efforts to achieve outcomes for the communities with whom they worked. The violence in 2006, which destabilised the Government and traumatised much of the Dili population, however, eventually forced the Government to shift direction to address the high levels of unemployment and problems in rural areas (Democratic Republic of Timor-Leste, Office of the Prime Minister 2006).

There is some evidence that NGOs also helped strengthen civil society, in that the major NGOs helped to build local community groups, such as local human rights groups, women's groups, farmers' groups and others, although generally, their ability to advocate was constrained by the factors explained above. However, these community based groups were able to play useful local roles in self-help, education and information sharing. NGOs also tried to develop participatory approaches in their work, but, like the state, they were inclined to 'top-down' and Dili-centred approaches<sup>424</sup> which had been the norm among officials in Indonesian time. NGO staff needed training in participatory and community development approaches to their work if they were to foster more participatory democracy.<sup>425</sup>

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<sup>424</sup> Respondents 7, 8, 15 and see also Holloway (2004b).

<sup>425</sup> Respondent 19.

## 10.2 Local NGOs in development

Development literature discussed in Chapter Two suggests that NGOs can act as cheap service providers or promote and offer alternatives to neo-liberal development. During the 1999 emergency and UNTAET period, some official donors and some international NGOs provided services (e.g. food and shelter, credit, livelihood) to the population through local NGOs. Some saw small-scale grants to local NGOs and community groups (e.g. such as those provided through AusAID) as a quick way of helping rehabilitation (AusAID 2004). USAID also provided some microfinance grants through local NGOs, though the majority went to or through international NGOs (USAID 2003). NGOs were also actively involved in delivering civic education to the population at critical times and, in later years, working with government and donors to develop a civic education curriculum for schools. NGOs (local and international) also acted as stop-gaps to provide services or programs while government developed, and in partnership with it on a few occasions (e.g. Caritas Dili, Timor Aid and ETADep). However, with limited funding, staffing and resources, little government experience of NGOs' programs or working with them (and no government evaluation of NGO effectiveness),<sup>426</sup> there were few opportunities for NGOs to deliver government services. Overall, there was a limited range of government services available nationally by 2004, other than health and education, which were both predominantly state (or church) provided.<sup>427</sup> Those services which NGOs delivered were largely donor-funded. The significant role of NGOs and civil society organisations in service delivery was noted in the donor related Sector Investment Program (SIP) for Local Governance and Civil Society. However, the SIP discussed the policy issues which donor support for civil society groups raised, in contrast to the low level of donor support through local government channels (Ministry of State Administration 2005:14).<sup>428</sup> Official donor funds for NGOs dropped significantly after 2003-04 and were likely to remain

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<sup>426</sup> Respondent 89.

<sup>427</sup> Government was also responsible for services such as power and water in urban centres, but had very limited agricultural extension and no government marketing or rural transport services.

<sup>428</sup> Only about 10 per cent of the total funding provided by donors to civil society groups has been channelled through local government in the four year period to June 2003). By 2005, however, donor support to NGOs had been reduced to a third of its 2001-02 high of \$30m (Ministry of State Administration 2005:14).

considerably lower than in the earlier years (Ministry for State Administration 2005:19-22) as the SIP signalled a shift in emphasis towards local government.

Since 2002, however, a few NGOs have worked with donors in areas given priority in the National Development Plan (Planning Commission 2002b), such as agriculture, water supply and sanitation (e.g. Halarae, Bia Hula). As aid programs became larger and more programmatic, local NGOs were involved in them as ‘partners’. For example, Timorese NGOs were incorporated into water supply and sanitation programs as well agriculture and rural development programs supported by AusAID (CWSSP n.d.). However, these arrangements were on a contract basis with little expectation of ongoing support, thus as little more than ‘transmission-belts for aid’ (Fowler 1997:36) their sustainability was rather precarious.<sup>429</sup> Many other NGOs however (e.g. Timor Aid, Alola Foundation, Yasona, ETADep, Caritas Dili) independently undertook poverty reduction work through agriculture and rural development, integrated poverty reduction programs, and weaving or micro-credit projects, with support largely from international NGOs. Some began such activities through the rehabilitation period, but focussed on them more intensively as other state building advocacy reduced after May 2002.

#### *Advocacy about development*

Throughout the period NGOs also advocated to donors and government authorities for a more inclusive, rural focussed development, and for real opportunities for people to participate (Hunt 2004). They argued for a more human development approach (as promoted by UNDP), rather than a neo-liberal model. In practice, East Timor adopted an open neo-liberal economic model,<sup>430</sup> but placed high priority on human development, specifically health, education and agriculture, in its expenditure, in line with priorities set out in the UN Millennium Development Goals, and Timor’s own Magna Carta, which were expressed in the National Development Plan. Certainly multilateral bodies had a significant influence on the shape of East Timor’s

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<sup>429</sup> Respondents 7, 8, 24, 29, 4, 1.

<sup>430</sup> See Anderson (2005) for a discussion about East Timor’s capacity to develop independently under neo-liberal policy prescriptions.

development, providing early and continuing advice to the Government, although Government also asserted some of its own views on a number of issues (Cleary 2007).

Some NGOs cautioned about particular development approaches the country might take. For example SAHE drew attention to the risks associated with borrowing from the World Bank and IMF, and may have contributed to a climate in which East Timor obtained grants, not loans, in the early period. Similarly, active Timorese civil society campaigning and protests in Dili (and through civil society connections with the Timor Sea Justice Campaign in Australia) about the injustice of Australia's position in relation to seabed boundaries and the distribution of revenues from the Timor Sea oil and gas resources may have helped the Timor-Leste Government leverage a better deal than first proposed by Australia. Furthermore, La'o Hamutuk, a post-1999 monitoring and advocacy NGO, initially run by a combined team of Timorese and international activists from the US East Timor Action Network (ETAN), drew attention to the issue of the 'resource curse' which plagued other resource rich but otherwise poor countries. Assisted by international development NGOs, such as Oxfam, they organised a civil society tour to Nigeria, to learn what could go wrong in a nation whose development was resource dependent. Their work contributed to making civil society members aware of the dangers of a windfall of natural resources, and through their education and advocacy efforts, might help East Timor avoid some of them. Some of these NGO activists are now members of the Petroleum Fund's Consultative Council which has responsibility to manage the resource earnings in a sustainable and transparent way for the long term benefit of the nation.

NGOs tried to demonstrate alternative approaches to development through a number of their own programs. The HASATIL sustainable agriculture and Dai Popular education networks provided valuable fora for local and international NGOs to explore 'alternative' ideas (e.g. such as organic agriculture, or training resistance activists to be community education and development workers) and for both to dialogue with Government about them. The NGO Roman Luan, on Atauro Island off Dili, also led the way on alternative models of tourism by establishing a successful small,

ecologically sound, community based tourism venture on the island, which was bringing development benefits to local villages. In this case the power of a good example appeared to be influencing Timorese thinking both in the community and the Government, about how to maximise the potential benefits of tourist interest in East Timor.<sup>431</sup> Thus some NGOs tried, in small ways, to foster development alternatives, but their scope was limited. HAK struggled to effectively articulate a human rights approach to development, especially concerning social and economic rights. While it realised that these rights were highest priority for people in East Timor, it was unable to find a way to effectively promote them, particularly as it was aware of the limited resources and capacity of the Government in these early years.

While some NGOs tried to ‘seize the past’ and build their identity on pre-colonial cultural values, others tried to develop the new norms associated with liberal democracies. Yet these were not necessarily in opposition. East Timor was trying to bind together into a modern nation people from diverse language and ethnic groupings, returning exiles and those who had remained, and generations divided by the heritage of different colonial languages, all in a situation of extreme poverty. NGOs such as Haburas drew on traditional cultural taboos to promote environmental protection; Timor Aid promoted Tetum language (as did ETDA)<sup>432</sup> to foster a national identity and means of communication essential in such a fragmented society (Leach 2003); Alola Foundation, Timor Aid and others drew on traditional *tais* weaving to generate income for women, a development priority; HASATIL led the way in thinking about sustainability based on indigenous knowledge of traditional food crops while being linked into worldwide farmer movements (McKenzie and Lemos 2005). Each NGO drew on tradition to meet contemporary needs.

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<sup>431</sup> Respondent 79.

<sup>432</sup> Respondent 45.

### **10.3 NGO roles in post-conflict peacebuilding**

Like any post-conflict society, East Timor's peace was fragile, and by early 2005 it had a number of features which indicated a propensity for return to violence, among them: extreme poverty, a high proportion of unemployed youth, significant numbers of demobilised fighters with little to do, a weak justice system, continued impunity for the major perpetrators of the worst atrocities, and the possibility that people may want to settle old scores. Engel had earlier noted that 'underlying tensions remain extremely high and the potential for violence is real and already being demonstrated on a small scale throughout the country' (Engel 2003:172). There were a number of ways in which NGOs tried to address this situation, although the violence evidenced among the security forces in May 2006 and its aftermath was clearly beyond their scope.

Most obviously NGOs worked in the early years of the UN administration and the new Timor-Leste Government to disseminate information, and to defuse potential conflicts among citizens caused by misinformation, which was seen by Engel as a significant threat to stability (Engel 2003:178). HAK in particular played a valuable role in this regard with its 'base discussions' in the sub-districts, and its promotion of a human rights culture. Local NGOs also worked with communities settling returning refugees and IDPs, to ensure their successful reintegration. This work was often undertaken in concert with international NGOs and UN agencies. The weak judicial system was cause for concern, and NGOs maintained pressure on the international community and the Government to get it working effectively. One NGO, Justice System Monitoring Project (JSMP), as its name implies, monitored the operation of the justice system, to try to make it more effective and accountable. In addition, some concerns about human rights violations by the police force were raised by HAK, and its staff became involved in police human rights training. The strong emphasis on human rights in the Constitution and in promoting human rights across the country was seen by them as a major mechanism to prevent return to widespread violence. A number of local NGOs established after 1999 also contributed directly to post-conflict peacebuilding, among them the Peace and Democracy Foundation (which undertook mediation and training),

various community radio stations, and the NGO La'o Hamutuk, each of which contributed to communication and information provision among people in the districts.

Land disputes were identified as a potential trigger for violent conflict in East Timor (Fitzpatrick 2002). As mentioned above, a number of NGOs worked to help resolve some of the major conflicts around land issues, or made proposals for land reform (e.g. KSI, HAK, SAHE) (Ribeiro and Magno, 2004: 53-56). A number of NGOs, including HAK and FOKUPERS, also worked closely with some of the key institutions established to address past violations and reduce the risks of future conflicts related to them. HAK's assistance to the President's Commissions for Former Combatants and Veterans Affairs was one example, while FOKUPERS assisted the Truth, Reception and Reconciliation Commission (CAVR) with its healing workshops for witnesses who gave public testimony (CAVR 2006). Many NGOs supported and participated in the activities of the CAVR, and at least two of its Commissioners and some of its staff were former or current NGO leaders. Local NGOs (often supported by INGOs) were prominent among the few agents of development activity in rural areas, where they tended to attract young people. Engagement with community radios, youth centres, cultural activities, and various NGO programs were some, albeit small, avenues for people to channel their energies constructively.

In line with findings elsewhere, women were poorly represented in formal peace negotiation processes and early UNTAET structures, but early action by women's NGOs was critical in setting an agenda for women. The June 2000 Women's Conference was extremely important in providing women with a forum to articulate their priorities and develop strategies to pursue them. For example FOKUPERS and other women's NGOs, such as ETWAVE and the wider REDE network, played an important role in redefining peace—recognising that violence against women did not stop when East Timor gained its national liberation. Their work to bring attention to the extent of violence against women and to try to reduce it was very important. With support and encouragement from international NGOs, which enabled a tour of Men against Violence from Nicaragua to East Timor, a local group of Men Against Violence

also became active (de Araujo 2004), since women needed the support of men to make a difference in this traditionally very patriarchal culture.

#### **10.4 The impact of donors on civil society**

The experience of the NGOs suggests that donors were influential; but for the NGOs which are the focus of this study it was international non-government donors as well as official bilateral and multilateral donors which were important. Appendix F outlines the main official donors to civil society in Timor-Leste during the study period. The most influential donor in East Timor was the World Bank. It played a key coordinating role and managed the Trust Funds established for the operation of UNTAET, for the rehabilitation and reconstruction, and to support the new Government's budget and development work after independence. The World Bank 'consulted' local NGOs, although the early consultations were often frustrating for the East Timorese, as they were conducted in English, and related to English documentation, a language few spoke at the time. Although it enabled LNGOs to participate actively in donor conferences it convened, the World Bank made no effort to help rebuild the existing civil society. Indeed it actively chose, through establishing the Community Empowerment Program, to create its own 'civil society' structures (although it did not call them that) in the form of local development councils, none of which have been sustained,<sup>433</sup> probably due to their weak legitimacy and decision making authority and the priority given to distributing funds rather than developing their governance (Dureau 2003, Hohe 2005). It also established a number of 'Community' Radio Stations, though many of those it initiated also seemed to have been poorly sustained by 2006 (UNDP 2006b). Its impact on civil society was the legacy of these programs, notably the problems with micro-credit which the CEP experienced, which affected some other NGO credit programs (Moxham n.d., NDPEAC. 2004).

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<sup>433</sup> Respondent 19.



In relation to other official donors several trends are evident. Firstly, official donors had a variety of different strategies at different stages of the transitional process. In the pre-1999 period, official donors were very limited and were not engaged in genuine civil society strengthening programs. Most civil society support was coming from international NGOs (and a few official donors) located outside East Timor. As the emergency deepened in the lead up to the ballot in 1999 official donors were engaged in humanitarian support through NGOs, for example AusAID through Caritas Dili, and UN WFP working with POSKO (Nest 1999). During the September 1999 emergency the experience of Timorese civil and political society was one of exclusion. Nevertheless, a number of UN agencies and bilateral donors, as well as international NGOs, provided some immediate, short term support to restore basic facilities. This enabled NGOs to function and supported limited NGO roles in the humanitarian response. The UN also provided NGO coordination facilities, though these were initially utilised more by international than local NGOs.

After the emergency phase, a number of bilateral donors provided support to civil society. USAID had an explicit agenda to strengthen civil society's role in democracy which was clearly reflected in the types of activities it funded, among them civic education, human rights advocacy, media, election monitoring etc. (see Appendix F). AusAID's civil society focus was to promote poverty reduction, community development, good governance, sustainable livelihoods, human rights, women's empowerment, peace and reconciliation and assist particularly vulnerable groups (AusAID 2000). While it encouraged activities to include 'civic education about the roles, rights and responsibilities of civil society in a democratic East Timor', AusAID's concern with democracy promotion was far less emphasised than USAID's. UNDP was active early in 2000 to assist in NGO capacity building through training, and help with the establishment of the NGO Forum. This later extended into a further training program related to advocacy, more support for capacity building of the NGO Forum and a small grants program. In the last phase of this study the new UNDP program was focussed on strengthening NGOs and other civil society groups, especially community radios, for advocacy and achievement of the Millennium Development Goals (UNDP

and UN Volunteers. 2006). UNDP was one of the only donors which tried to engage both civil society and the Government of Timor-Leste around the nature of their roles and relationship and the legislative framework for NGOs.

Much of the assistance was short term (Engel 2003), and reviews and evaluations consistently recommended longer timeframes and greater support for organisational strengthening, and for program implementation-related capacity development, such as community development skills (see for example Oxfam/MAFF 2004, AusAID 2004, Sharan 2003, Shires 2003, Walsh 2000b, UNDP 2002a). The training and capacity building emphasis of donors tended to fall on project management and skills for interacting with them, such as English language and project and financial management,<sup>434</sup> which, while necessary, was insufficient. At the same time, they could be critical of local NGOs' donor and project orientation, yet that was fostered by the short term project nature of the donor system itself.<sup>435</sup>

A number of international NGOs also ran civil society capacity building projects; one with a high profile was CRS' 'Engaging Civil Society Project' (ECSP) which ran from October 2002 until the end of May 2005. Funded by USAID, its goal was 'to create a stronger and more organized civil society, with civil society organisations (CSOs) participating effectively in political processes at all levels in East Timor' (CRS 2005: 1). To its credit CRS made its evaluation public, but the report found that the project concluded with 'mixed results' (CRS 2005:1). CRS worked with four NGO partners and twelve community based organisations, in a cascading model whereby each NGO partner of CRS was intended to work with and assist in capacity building three or four community organisations. A second objective was to build networks and coalitions among all the partners, while increasing the participation of marginalised groups within their constituencies. The third objective was to strengthen the advocacy capacities of all 16 CSOs to engage with government at national and local levels. Two of the original NGO partners (HAK and Justice and Peace Commission Baucau) did not

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<sup>434</sup> Respondent 1.

<sup>435</sup> Respondent 8,13.

complete the partnership, HAK for reasons of ‘differences in modes of operation’; JPC Baucau withdrew after some financial issues were raised by CRS, but Haburas, subsequently joined in 2003 (CRS 2005:8). What is clear is that the advocacy model promoted through the project assumed that NGOs would use the media as a major channel for communicating their advocacy message to government (and the public) (CRS 2005:23). In Timor-Leste, this was not the main way in which the more experienced NGOs were undertaking advocacy (da Costa Gama 2004), since they had personal relationships with many of those they were trying to influence. Furthermore, this model was unlikely to be helpful at a time when Government-NGO relations were sensitive at best, hostile at worst. The idea of building advocacy coalitions among the partners was not very successful, as the diverse partners had little in common to campaign about together, although some of the CBOs started to collaborate. Yet NGOs were already adept at forming and using coalitions whenever they had common interests. Finally, the fact that even when the Project finished all political decision making remained centralised in Dili, that Ministries had very weak capacity themselves, and local governments had no budgets to control meant that local level advocacy was rather pointless. This Project’s capacity building model seemed to have been promoted in a top-down mode without sufficient cognisance of the local conditions and context. Whilst it no doubt conducted valuable training, produced some useful materials in Tetum and Indonesian language, and engaged local government officials in all the districts, the sustainability of its achievements remains an open question, and the timeframes were again considered too short (CRS 2005). Other international NGO donors took a different approach. HIVOS for example provided three-year funding for its partners and assisted their capacity through engaging them in participative reviews. Others provided long term skilled personnel support or worked in alliance with the NGOs, sharing skills through working together.<sup>436</sup>

Thus, donor support for civil society reflected different donor understandings of the role of civil society and different emphases. This study, like Ottoway and Carothers’ (2001) found that US agencies focussed more strongly on procedural democracy

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<sup>436</sup> Respondents 13, 21.

promotion than others. For other official donors it seemed that NGOs were an expedient means of advancing other sectoral development objectives, for example in areas such as education, water supply and sanitation, livelihood, agriculture and livestock activities. These were targeted more towards community development and poverty reduction—important activities given the impoverished state of the country.

Despite the different political leanings of a few individuals in NGOs, I detected no strong ideological schism between different types of local NGOs in East Timor, other than perhaps a sense of camaraderie and some elitism among the group of NGOs located in the suburb of Farol, known locally as the ‘Farol NGOs’. These were generally the older, better established NGOs, but they included service delivery groups like ETADep, human rights and advocacy focussed groups like HAK and FOKUPERS, and the media and community mobilising NGO SAHE as well as the newer NGOs such as La’o Hamutuk and Haburas. The major distinction was between the smaller, weaker NGOs in the districts, most of which were new, and the older, stronger, better resourced NGOs in Dili itself. However even their capacity was relatively weak and much of their resourcing rather tenuous. Nor did donor funding seem to affect the NGOs’ willingness to empower communities. In contrast to experience elsewhere, to the extent that some NGOs operated in a rather Indonesian bureaucratic fashion, donor support, particularly from the more progressive international NGOs (such as HIVOS or Oxfam), tended to encourage them towards a more empowering, participative approach. Some Timorese NGOs were quite selective about their partners. For example SAHE would only accept funds from non-government organisations that shared its philosophical approach of social mobilisation and empowerment. HAK also demonstrated its unwillingness to continue with a Project which it felt was requiring it to operate in a manner it was unwilling to accept. Thus at least these Timorese NGOs were careful about the donors with whom they partnered. Others perhaps had fewer options, for example FOKUPERS was constantly struggling to fund its women’s shelter, and when UNICEF funds formerly provided to the shelter were restricted to assisting children, this catalysed their decision to run a child care centre. The service delivery NGOs such as Bia Hula and Halarae were more

dependent on official donors and such funding was more contractual and intermittent. There was no sense of long term partnership envisaged, at least by one significant official donor.<sup>437</sup>

The increasing demand by both official and NGO donors for stronger financial and narrative reporting, generally in English, against key benchmarks or indicators was challenging for many NGOs.<sup>438</sup> In fact a small number of international NGOs accepted reports in the Indonesian language and this was greatly appreciated by their local NGO partners. However, a great deal of NGO time and expertise was dedicated to report writing, often a task that only the most senior staff member could undertake. This drew such people away from the other challenges of managing their organisations, building staff capacity, and strategic engagement with the wider Timorese socio-political environment. Furthermore, the issue of sustainability was emerging strongly towards the end of the study period; donors were starting to require NGOs to demonstrate more clearly how their programs would be sustainable. But for the NGOs the issue was about their *organisation's* sustainability, and the prospect was rather bleak. Some began to generate their own funds, through fee-for-service work to international organisations, rental of agricultural equipment, sales of items such as books, CDs, T-shirts etc., and membership fees. But such strategies could not sustain the organisations adequately. The best option for most was to develop a long term partnership with one or more international NGO which would remain committed to work with them over the longer term. Not all had been successful in this and their futures looked uncertain.

## 10.5 Concluding comments

NGOs expected democracy to be meaningful in people's everyday lives, to help resolve the many issues of land conflicts, poverty, poor health, limited education, lack

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<sup>437</sup> Respondent 4.

<sup>438</sup> At one stage when donors to the NGO Forum itself were becoming frustrated with the level of its reporting, one NGO which engaged closely with the program it was funding and allowed the Forum to report in Indonesian, indicated that it had no problems. This suggested that writing the reports was less of a problem than the language requirement. Information provided by respondent 19.

of clean water and sanitation, lack of income, marketing, and high cost of transport which faced people daily. Whilst they were prepared to expend energy and time to ensure the populace was educated about elections and understood formal democratic processes, for Timorese NGOs it seems that their concept of democracy was far more than electing a government. It was about the responsiveness of government to people's problems and concerns. DFID refers to three qualities which states need for better governance and to meet the needs of poor people: capability to perform functions, responsiveness to citizens' aspirations and needs, and accountability for what is done (DFID 2006:20). While the efforts of the international community in these early years were focussed on the first (capability to perform functions) and the literature about civil society tends to focus on the third (accountability) it was the *responsiveness* of government which NGOs in this extremely poor and devastated nation were most interested in. Like their Philippine NGO counterparts, NGOs did not approach democracy as an abstract concept of governance. NGOs saw democracy as to do with empowering people, overcoming their poverty and hardship and the human rights violations which so many had endured. Their Tetum concept of *Ukun Rasik A'an* which embraced self-determination, self-sufficiency and independence, itself fostered this more holistic and integrated approach. Thus Timorese NGOs, like their Filipino counterparts (Racelis 2000), took a 'democracy through development' approach. In East Timor, as in the Philippines, they talked about empowering people to participate, often through direct development activity, though some were engaged in policy and procedural development. It seems that the internationally-led state building process had to some degree neglected these aspects of responsiveness and development-driven democracy, or *Ukun Rasik A'an*. NGOs in this study clearly saw the need for development, and those that could acted to regenerate agriculture and livelihoods as quickly as they were able, even as the humanitarian relief was still underway, indicating the priority they gave to this work. Failure to achieve early development in post-conflict countries can lead to high levels of unemployment, encouraging some young men into crime or militia activity, forming a source of renewed conflict (UNDP 2006a:27). Local NGOs in Timor-Leste had constantly advocated for attention to rural development from the earliest donor conferences, but this was slow to happen, and the

pool of unemployed youth appears to have contributed to the opportunistic gang violence that occurred in 2006 as the security forces collapsed (Kingsbury 2007, Wigglesworth 2007, USAID 2007).

### *Return to civil society theory*

All the above suggests that ideas drawn from the de Tocqueville influence on thinking about civil society and development were not adequate in this post-conflict environment. In particular, the idea that civil society should act as a countervailing force to the government, or a mechanism to make it accountable, was not particularly useful in such a fragile nation as Timor-Leste. An alternative approach which may be more helpful to frame thinking in such contexts is an adapted Gramscian one, in which post-conflict development is seen as an ideological struggle within elites of *both* civil and political society, less about capitalist domination, than about the entrenchment of human rights and values of non-violence within a state and society. From this perspective, donors need to strengthen the institutions and relationships which would deepen the adoption of these values, since clearly the idea of democracy as a tool for non-violently apportioning power (Keane 2004) was not fully accepted in Timor-Leste, as the violent events of 2006 illustrated. This implies strengthening those aspects of the state *and its relationship with civil society* which accept and effectively promote these values. State building would have to be undertaken in concert with developing the civil society and the relationship between the two. The mechanisms, processes and avenues for participation would be essential aspects of state building.

In East Timor, the post-conflict international effort was overwhelmingly about the development of a central state, yet there was a great deal of nation building to be undertaken. In particular, the task of establishing the moral framework of the nation—embedding some common values of respect for human rights and peaceful resolution of conflict among the diverse social and political groupings—was extremely important, yet only weakly supported once the first elections had occurred in 2001-02. NGOs were well aware of the social tensions and challenges, but funding for such work was

hard to come by, and government resources for this were very limited too.<sup>439</sup> On a national level NGOs such as HAK, KSI and Peace and Democracy Foundation, and to some degree the Justice and Peace Commissions in Dili and Baucau, and others, were trying to defuse or resolve local conflicts and promote non-violent conflict resolution approaches, but their resources were limited. HAK's decision to close its 'People's Houses' in the districts in 2003 reflected those limitations. Timor Aid's effort to promote civic education in the curriculum was another initiative to embed some of these values in the younger generation. However, almost all of this work depended on international (often INGO) funds.<sup>440</sup>

Furthermore, states are not separate from citizens but are deeply enmeshed and embedded in the social milieu in which they are created. What this study of NGOs has highlighted is that post-conflict development requires deliberate and careful development of the *relationships* between the state structures which are developed and the people they are to serve. This research, however, indicates that there was little focus on this by the international community in East Timor. Yet NGOs found that the critical issue in their work with communities was the changed role and nature of the state in relation to its citizens in the post-conflict environment; the state's incapacity to respond to their day to day problems and development needs was creating major difficulties for communities. Furthermore, what East Timor badly needed was trust rebuilt between different groups within the society, and built between the society and the new state. Government-NGO relations needed to be actively developed which would help to build both types of trust. It seems likely that only once some level of trust was achieved could NGOs really influence the Government, rather than be dismissed by Ministers who wished to do so as irrelevant. This trust seemed to exist only where there were pre-existing relationships. This is not to suggest that NGOs cannot be critical of government where that is required, but it is to argue that such

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<sup>439</sup> NGOs had the support of the various UN administrations' Human Rights Unit and later the Prime Minister's Human Rights Adviser, but all of these, like the NGOs, had limited resources.

<sup>440</sup> PDF was in part funded by the proceeds of Dr Ramos Horta's Nobel Peace Prize, but all the others were largely dependent on international, mostly INGO, support.



criticism would have little positive effect if no underlying trust existed between them. The relationships and mutual understandings had to be built.

Thus this study has illustrated the various ways local NGOs contributed to the democratic transition and democratic consolidation, post-conflict development and peacebuilding in East Timor. Every context is different, but the tendency of international development players to overlook the role of local NGOs in such settings, as occurred during the emergency response, is one which I hope this study has shown is a significant omission. Their contributions, while perhaps somewhat different to those posited in development theory, can be useful, and the study suggests some reconceptualisation may be necessary in theorising about the role of civil society in post-conflict development.

## **Appendix A      Preliminary Lists of NGOs**

This list has been developed from the following sources:

- East Timor NGO Forum Contact Lists for: Bobonaro, Suai, Baucau, Manututo, Oecusse, Lautem (April 2003)
- List of those attending High Level Mechanism Consultation Meeting, August 2003
- Columbia University Data Base—21 October 2003 version
- Constancio Pinto in Tanter et al. (2001)
- NGO Forum documentation—formation documents
- East Timorese NGOs—Interim Directory Feb 2000, East Timor NGOForum/ACFOA, and
- Own knowledge from visits to East Timor and prior work with NGO Forum.

These lists have been compiled from the best available information in late 2003/early 2004. It is possible that they are not totally accurate as information on NGOs both before and after 1999 was hard to obtain, and particularly in the latter period, new NGOs were forming rapidly. However, it is as complete a list as this researcher could establish from the sources above.

The first list is of NGOs identified as operating in East Timor prior to 1999, with comment whether they were still operating in late 2003 (in two sections: those who were members of NGO Forum and others).

The second list is of other NGOs, new since September 1999 known to be working in three or more districts (a large number of NGOs were formed, but many only worked in one district).

The third list is of NGOs founded and operating outside of East Timor before or during 1999.

**List 1**

<b>Local NGOs existing before September 1999</b>	<b>LNGOs still existing late 2003</b>	<b>Operating in 3 Districts or more?</b>
<b>NGO Forum founding members</b>	NGO Forum itself	All Districts
Y Timor Aid	Timor Aid	Check Districts
Y Kasimo (now Forte)	Forte	Dili, Manufahi, Bobonaro, Ermera
Y Hope	Hope	One District only?
Puskopit Hanai Malu	?	
Puslawita	-	
Y Ledavo	-	
Y Halarae	Halarae	Bobonaro only
Y Bia Hula	Bia Hula	? Districts?
Y ETADEP	ETADEP	? Districts?
Y HAK	HAK	Oecusse, Viqueque, Ainaro, Lautem, Bobonaro, Mahufahi, Covalima
Binaswadaya Tim Tim	-	
YBSL Lestari	-	
FOKUPERS	FOKUPERS	? Districts? and National
USC	-	
POSKO (Y HAK)	No longer exists	
<b>Others</b>		
ETSCC / GFFTL	ETSCC/GFFTL, but now separate - GFFTL doing socio-economic work	GFFTL working in 5 Districts
ETWAVE (Gertak)	ETWAVE	? Districts now?
Caritas East Timor	Caritas Dili	National / Western
Caritas Baucau	Caritas Baucau	Working in nine parishes in Baucau Diocese.
Commission for Justice and Peace - Dili	Commission for Justice and Peace - Dili	National/Western
Commission for Justice and Peace - Baucau	Commission for Justice and Peace - Baucau	Eastern
Hatimor	?	
FAT (Bobonaro)	FAT	Bobonaro, Dili
Naroman LS	Fundasaun Naroman	Bobonaro only

PAS	PAS	Dili, Baucau, Lautem
Satilos (YTLS)	?	
Yatina	?	
Yasona	Yasona	? Districts?

## List 2

<b>Other NGOs - new since Sep 1999 (working in 3 or more Districts)</b>	<b>Operating Districts</b>
Alola Foundation	? National
CDEP	Viqueque, Dili, Baucau, Aileu, Liquica
Centro De Agricultura E Celerio Nacional (CACN)	Manututo, Manufahi, Oecusse, Viqueque, Bobonaro, Covalima
Community Development Lorosae	Dili Manufahi, Oecusse
CYDP	Bobonaro, Liquica, Cova Lima,
East Timor Agriculture Association	Bobonaro, Dili, Manufahi, Manatuto, Viqueque , Baucau
Father Antonio Maia Foundation (FAMF)	Baucau, Ermera, Dili, Ainaro, Lautem, Aileu
Formosa	Aileu, Baucau, Dili, Ermera, Lautem, Liquica
Forum Haklaken ba Progresso (FHP)	Lautem, Liquica, Manututo, Baucau, Viqueque, Ermera
Halibur Matenek Timor Oan ba Progresso (HMTOP)	Lautem, Oecusse, Ermera, Dili, Cova Lima, Bobonaro, Viqueque
Judicial Systems Monitoring Project	National
Moris Foun	Manututo, Balibo, Dili.
Programa Be Mos (PROBEM)	Viqueque, Lautem, Baucau
Tane Hamutuk Timor (THT)	Cova Lima, Dili, Manufahi, Bobonaro, Ainaro, Liquica.
Y.O. Desenvolvimento Basico	Dili, Baucau, Liquica
Y. Timor Har'ri	Dili, Liquica, Manatuto, Viqueque
LAIFET	Several Districts.
Associacao Mane Kontra la Violencia	National
Permaculture Timor	Baucau, Aileu, Dili.

Lorosae	
Rumah Raykat I (Baucau)	Baucau , Los Palos, Viqueque, Manututo
YCDLDH Y. Comunidade Democratico, lei nos Direitos Humanos (Baucau)	Baucau , Los Palos, Viqueque, Manututo
Moris Rasik (Maliana)	Maubara, Bobonaro, Maliana and others
Forum Ham (Maliana)	Bobonaro, Ermera, Liquica
Perkumpulan HAL (Maliana) (Uma Raykat)	Maliana, Oecusse, Liquica and Ermera
Haburas	?
La'o Hamutuk	National
HTO	?
Hotflima	Covalima, Aileu, Dili

### List 3

<b>NGOs founded outside East Timor</b>	<b>Operating inside post - 1999?</b>	<b>Scope of Districts</b>
DHRF (Solo)	?	
ETDA (Melb)	ETDA	National/Dili
ETRA (Syd)	No	
CD Lorosae (Yogya)	?	
KMG (Talitakum)	Talitakum	Dili
SAHE Institute (Jakarta)	SAHE	Liquica, Baucau, Dili
Atamor (Portugal)	?	
ETHRC (Melb)	No	
Timor Aid (Darwin)	See Yayasan Timor Aid (List 1)	

## **Appendix B      Examples of NGOs in Timor-Leste beyond the six Case Studies**

Information provided below comes from interviews with key NGO staff and documentary sources collected over the study period. The listing is in three categories:

- 1) individual NGOs which existed prior to the emergency in September 1999
- 2) individual NGOs formed after the 1999 emergency
- 3) selected NGO networks.

### **1. Organisations which existed before September 1999**

#### **Bia Hula (Bubbling Spring)**

Bia Hula grew out of an AusAID water and sanitation project which began in Covalima District in 1992-93. The NGO component of the Project began in 1995; the newly-formed, independent NGO was registered in 1997, and provided with support to seek funding from other donors when the AusAID project ended late 1998/early 1999. AusAID also agreed to support Bia Hula for two years after its Project ended. Most of the people recruited to establish Bia Hula had NGO experience and/or technical skills (e.g. the Director was ex-ETADep), and the AusAID project provided them with training in NGO management. The NGO was responsible for the community development component of the water supply project. Early on it had around 40 staff, but it had around 20-25 at the time of the crisis in 1999, and was entirely dependent on donors for funding. To overcome this dependence it began some commercial activities (block-making) on land it owned. After some significant difficulties in getting funding, Bia Hula was contracted to a new AusAID project (CWSSP) to provide community development services. This only supported the salaries of the fieldworkers in the Covalima and Maliana areas, not the Dili office or staff in other locations (e.g. Suai). Bia Hula had received short term funding from a variety of official donors and some international NGOs for specific projects, but by 2004 its organisational sustainability was far from assured, despite considerable efforts to interest other donors in funding its work. Few international NGO donors were still working in the water and sanitation

sector, official donors were only providing small grants to NGOs, and the future of AusAID's interests in water and sanitation were unclear.

### **ETDA East Timor Development Agency**

ETDA was formed in April 1999 out of recognition among members in the CNRT that a special agency was needed to 'strengthen the capacity of East Timorese people to play an integral, active and coordinated role in the development of East Timor'. Its first project was a major Human Resources Survey, which was supported by an Australian NGO and the World Bank and conducted throughout East Timor and among the East Timorese diaspora living in Australia, over several months in late 1999-2000. In 2001 it opened an Employment Centre (later to become a Training and Employment Centre) to help develop the human capacity to prepare to manage the nation. ETDA carried out training in key skill areas. It worked closely with the Transitional Government, and helped particularly with identification and training of potential civil servants. It also assisted with training and jobs for veterans. ETDA has also provided valuable translation and interpreting services for a variety of organisations, and is actively promoting Tetum language, for example through a Tetum book project based on oral histories of the veterans, and through preparing training manuals in Tetum. The organisation had 18 staff in 2004, and was also running English classes, and training for NGOs in the districts (e.g. IT, administrative skills etc.).

### **ETWAVE**

ETWAVE started as GERTAK in November 1998 with a focus on women and children's rights. It changed its name in November 1999 when it re-formed after the ballot. In 2001 it had a core of 17 women: 11 in Dili, 4 in Ermera, 1 in Ainaro, 1 in Viqueque and Los Palos, and some help in Liquica. Of these, five were paid staff in Dili and two in Ermera. All the rest were volunteers. They worked cooperatively and organised themselves through regular meetings. The districts where ETWAVE works, particularly Ermera and Liquica, are areas which had very bad experiences from April



to September 1999. ETWAVE has provided support to the women and children who were victims of violence. ETWAVE had three trained counsellors (trained by PRADET in East Timor and Sydney) who went out to the districts for three to four days at a time. They have also conducted training in small business under the UNHCR Quick Impacts Program. ETWAVE has had support from a range of donors, such as UNHCR (salary for staff, computer, car and motor-bike) UNICEF, AusAID and international NGOs. In later years ETWAVE was supported from profits generated by the restaurant operated by its founder.

### **Fundacao Haburas**

This NGO was formed in 1998 by people who had been members of the student resistance movement, RENETIL. They were invited to Finland by the Finnish Government, and based on what they saw there realised the need to take good care of the environment. They were concerned that the Indonesian occupation had caused considerable damage to East Timor's natural resources. They were barely active in 1999, but regrouped in 2000 and began to research the issues and work with community groups in a number of districts (e.g. Aileu, Los Palos, Maubisse). They worked on reforestation and watershed rehabilitation, as well as broader environmental education. Initially they found it hard to get donors and others to recognise the environment as a key issue in the rehabilitation phase. They developed international links with Australian, Indonesian and other environmental groups and decided to focus on advocacy towards reviving customary law which protected the environment ("Tara Bandu"). They became active with the media and worked with other groups on things like a conference on sustainability and the development of HASATIL and the annual sustainable development 'Expos' that network organised. HASATIL successfully advocated for a clause relating to the environment to be incorporated into Timor-Leste's Constitution. In 2003 Haburas had 13 staff, and was supported by AusAID (through the NGO, Australian Conservation Foundation), USAID, JICA and CIDA.

### **Grupo Feto Foinsa'e Timor-Lorosa'e (GFFTL)**

GFFTL is a young women's group which began in October 1998, and initially worked within the East Timor Students Solidarity Council to promote independence through organising 'dialogues' in the districts. It also participated in voter education and demonstrations in the lead up to the ballot. After 1999 it re-formed and began to focus on non-formal education and women's rights. It was involved in training on gender, literacy programs, and civic education. In 2001 the group organised a conference in which some 50 or more women participated, and they decided to separate from ETSSC and form an independent organisation, to better promote women's rights and to enable GFFTL to become better known. By 2004 GFFTL comprised nine staff and four volunteers, but salaries depended on availability of project funding. Most of the members were still university students, and needed funds for transport out to districts to provide training. At that time they had two projects running, one supported by an Australian NGO on women's literacy, and the other by UNDP on civic education. While earlier civic education work supported by The Asia Foundation had enabled them to work in 10 districts, in 2004 they were working only in two districts—Los Palos and Baucau. They were also developing a sewing program with another Australian NGO. They were active in Dai Popular and REDE Feto.

### **Naroman Yasona**

Yasona began in 1983 as an NGO of the Indonesian Protestant church, to provide assistance to communities displaced from the mountains by war. It initially focussed on welfare, then shifted to community development. Its main areas of work were in Dili, Liquica and Manututo. Its first Timorese employee was appointed in 1990. It had links with Indonesian NGOs, e.g. Bina Swadaya, for training. In the initial weeks after the 1999 emergency it ran a 'crisis centre' to provide emergency assistance and was soon assisted by the Joint Church Emergency Group (with food clothing, medicines, household kits etc.) and USAID (who gave computers, motor bike, car, mini tractor). They assisted with reconstruction (e.g. schools, health clinics, water/sanitation, homes

etc) and opened three community health clinics (Same, Dili, Los Palos), plus mobile clinics and village medical outposts, assisted by an Indonesian NGO—Bethesda. They also assisted returning refugees. By early 2000 Yasona had ongoing church support, and recommenced community development work—agriculture, livestock and fishing, small business (kiosks etc), and small industry (sewing, cement blocks, tais weaving). They ran English and computing courses in Dili and Baucau, and supported a traditional culture group (with materials for costumes, transport etc.). By late 2003 they had a longer term strategic plan consistent with the National Development Plan and good relations with the Government at national and local levels. Their main focus in 2004 was *self-reliance through community development*. Their programs focused on: food security; education; health care; small business and industry (i.e. very much same focus as pre-1999); they had six regional coordinators for their agriculture program in the Eastern and Central regions, and a technical trainer. They had a strong focus on bottom up planning, and self-reliance at community level. In 2004 they had four staff in central office and others specific to programs. Donors in 2004 were from a range of churches, especially from Australia and Europe.

### **Pronto Atu Serbis (PAS)**

PAS was founded in June 1996 to provide medical and support services to the underground movement of student activists, FALINTIL soldiers, and rape victims. It is now a medical NGO providing a wide range of medical services (including dental) from a clinic in Becora, Dili. In addition to those services they also established three women's groups in Dili, Los Palos and Atauro Island. The focus of their work with these groups has been on basic health information for mothers, human rights, and children's health, especially nutrition. In Los Palos, the group has also started sewing, making clothes and tais making. In the *Suco* where the clinic is, they have a group for mothers and another for young women. They have a range of links with international health and church-related organisations, from whom they obtain support and some volunteer expertise.

### **Yayasan Halarae (means ‘Land Care’ in Kemak language)**

Halarae was established in 1992 to work on conservation, upland agriculture and agro-forestry. Staff at Halarae had previously worked with CRS and then ETADEP and had undertaken a study tour within Indonesia in the 1980s, which inspired them to establish Halarae. Their initial small funding was from the Indonesian Government, and they have always worked closely with the Ministry of Agriculture Fisheries and Forests (MAFF), and gain technical expertise through this association. They also received early support from CIDA, and later AusAID, through their Jakarta offices. They started with just two staff, working in Bobonaro District, but now they also work in Manututo, in response to an initiative by Austcare, an Australian NGO. By 1999 they had grown to five staff and by 2004 had grown further employing 20 people. In 2004, they had major projects funded by Austcare (with AusAID support), UNOPS (seed multiplication trial), and were developing a proposal with JICA. Halarae was also involved with the Farmer Field School along with ETADEP and MAFF. In many respects Halarae functions as an agricultural extension organisation.

## **2.Organisations established after September 1999**

### **Alola Foundation**

The Alola Foundation was established in 2001 under the leadership of then First Lady of East Timor, Kirsty Sword Gusmao, to raise awareness of and campaign against the sexual and gender-based violence experienced by women and young girls in Timor-Leste. It has grown to provide services and programs in areas such as advocacy, employment, education, maternal and child health and humanitarian assistance. It has five program areas: Maternal and Child Health, Education, Economic Development, Advocacy and Management; its slogan ‘Strong Women, Strong Nation’ sums up its underlying approach. It works across all areas to increase the status of women, promote human rights, strengthen community participation in development and create employment opportunities, and its office in Dili acts as a marketing outlet for *tais*

products made by the women it supports. The programs are funded by a diverse range of supporters from all over the world, both individuals and institutions.

### **Centro do Desimvolvimento do Economica Popular (CDEP)**

Centro do Desimvolvimento do Economica Popular was set up after 1999 to assist in marketing, particularly of rice and other agricultural produce. It had eight staff in 2003 and was supported by the Bishop's Conference of Japan, the Finnish Government and CAFOD, a UK Catholic NGO. Earlier it had received support from CIDA and one other NGO donor. It had networks of suppliers across Timor-Leste and assisted farmers to get their produce to major markets in places such as Dili, Hatolia, Liquica and Ainaro.

### **Justice System Monitoring Project (JSMP)**

JSMP was founded in April 2001 by two international lawyers who worked voluntarily at the outset. Within two months it had a Timorese staff member, who was the Director in 2003. Its role is to monitor the Timor-Leste legal system and the Ad Hoc Tribunal which was taking place in Jakarta, and to comment on draft legislation before the Parliament. In 2003, as well as the Director, JSMP had seven legal staff, three more involved in outreach and four others involved in administration and security. It had funding support from USAID, AusAID, The Asia Foundation and Finnish Government, as well the Jurists Association of Australia. It was well networked with other NGOs working in the legal area, such as HAK, FOKUPERS, and various legal aid NGOs then operating in Dili. This included running workshops together in the districts to inform the community about legal matters. It had limited contact with the Justice Ministry, but knew that Ministry used its website. It also had links with the President and the Parliament, each of whom read and used its reports. It was also working with the East Timor Students Solidarity Council to develop their knowledge about legal matters.

## **Roman Luan**

Roman Luan is a local NGO located on Atauro, an island off Dili, which started operating in February 2000. It grew out of a community development project sponsored by an Indonesian university. Initially it was supported by a British NGO, but difficulties in that relationship caused Roman Luan to end that partnership, and the New Zealand Government became its main supporter. Its office is solar powered, thanks to the efforts of UN troops from Pakistan who set up the system. The main activity is an ecotourism venture, the profits from which support community projects such as school facilities. There had been some difficulties between the NGO and the Government related to the requirements for the school, to which the Government barely contributed, but at the same time the Government (and others) were keen to learn about the success of the ecotourism venture as a possible model for other places. Roman Luan is fortunate to be supported by a long term expatriate staff member who was with the original community development project. The NGO had also made arrangements with dive boats to pay for access to beach camping, and to pay for water and toilet facilities there.

## **La'ó Hamutuk ('Walking Together')**

This organisation describes itself as a hybrid East Timorese-international organisation, that 'monitors, analyses, and reports on the principal international institutions in East Timor'. It began in mid-2000 in response to the need of Timorese activists to understand the plethora of international organisations that had arrived in the country, and was jointly established by Timorese and international solidarity activists. In 2003 it had six East Timorese and three international staff, with a board of three East Timorese and one international member. It is primarily a research, information and advocacy NGO, helping Timorese understand the work of international organisations in their country, but equally helping those organisations hear Timorese perspectives about their work. It publishes a bulletin, a 'Surat Popular' ('popular letter') explaining things very simply in Tetum, has a multi-lingual website, runs a radio program and hosts public

meetings. A number of La'o Hamutuk's staff have represented East Timor NGOs at major international meetings and participated in international exchanges.

### **3. Selected NGO Networks**

#### **Dai Popular**

The network of popular education organisations, Dai Popular, was set up in 2001 and officially established in January 2002, with a priority to work among the illiterate, rural poor to try to ensure that they were included, not marginalised, by development. It grew out of an exchange program organised by local NGO La'o Hamutuk. The program began in 2000 with a visit to East Timor of two Brazilian popular educators to East Timor; the following year eleven East Timorese community educators went to Brazil where they saw 'literacy programs, popular health methods, women's empowerment, community radio, popular theatre, cooperatives and alternative banking, bee/honey cultivation, ecotourism and environmentalism, water conservation and liberation-based theology and ministry work' (La'o Hamutuk 2001). On their return the Dai Popular national network was formed to promote popular education as a tool for democratisation and social transformation. SAHE coordinated this network, which by 2004 had some 36 organisations involved. Most of the members were community organisations, seeking to learn from each others' experiences, and relate together with international organisations in areas of education, community education and community organising. These NGOs used 'popular education' methodologies as an approach for work in other sectors, such as agriculture, human rights and health. Dai Popular also advocated for a National Literacy Campaign, which was subsequently established.

#### **HASATIL**

HASATIL is a network promoting sustainable agriculture in Timor-Leste. It was established in March 2002 in response to an unsustainable situation. Agriculture in the Indonesian period had depended heavily on high levels of external inputs such as fertilizers, pesticides, and seeds, the prices of which were extremely high. This problem

had been very evident after the Asian crisis of 1997, but when international donors came to Timor in 1999 they perpetuated the same agricultural model. The network began from a workshop on sustainable agriculture, after which fifteen organisations set up a five-member steering committee. The first activity was an ‘Expo’ in May 2000 about sustainable agriculture, which generated a high level of interest, and led to an increase to 31 organisational members, including international NGOs, farmers groups and local organisations. The main objective is to enable farmers to become independent of costly external inputs and able to farm sustainably using local seeds, natural pest-control and organic fertilizers. In this sense the organisation is trying to transform agriculture and persuade government to promote this approach. The network had only four staff members in 2004, one of whom had developed an interest in permaculture through a connection with an Australian volunteer in Timor-Leste, and subsequently studied permaculture in Australia. He indeed, had been a driving force for HASATIL’s establishment. The network had three working groups focussed on advocacy and campaigning; research and development; and training and education. Clearly HASATIL was challenging both the Government of Timor-Leste and international organisations such as the World Bank, each of which were promoting increased rice production. HASATIL was encouraging a much wider range of crops for food consumption. Three international NGO donors supported the organisation, which had rejected offers of funding from governments of US and Japan, as it wanted to work with like-minded groups. HASATIL published a monthly bulletin and was trying to work with the Agriculture Department of the University to promote its ideas.

### **REDE Feto**

REDE began on 10 March 2000. A group of women and women’s organisations came together to organise the first ever East Timor Women’s Congress in June 2000. While women had played a critical role in the struggle for independence, through the diplomatic, clandestine, and armed aspects of the struggle, the CNRT had no women’s section. The Coordinator of FOKUPERS was trusted by CNRT to establish REDE, bringing together 15 organisations. REDE’s policies were set by the Year 2000



Women's Congress which was attended by over 500 women from all over East Timor. The national Congress was preceded by a series of district women's meetings. The Congress agreed a '*Platform for Action for the Advancement of Women of Timor Lorosae*'. It identified the following issues as critical areas of concern: poverty, law and order, reconciliation and justice, culture of violence, and decision making and institution building. For a period REDE Feto languished somewhat, but was revived again in July 2004, with a second successful national Congress which focussed on assessing progress since 2000 and setting new priorities for the following four years. UNIFEM provided early institutional support and training to REDE, and the organisation worked closely with the UN Gender Unit, and later the Office for the Promotion of Equality in the Timor-Leste Government. It had a number of UN agency donors in 2004 (e.g. UNICEF, UNIFEM, UNDP), as well as support from the Government of Timor-Leste.

### **East Timor NGO Forum**

The NGO Forum was formed by 14 NGOs in 1998 to coordinate NGO responses to the drought then affecting East Timor. Due to the security situation it had been unable to meet or develop much before the emergency in 1999. The Forum was reestablished in late 1999-early 2000 with support from the UN OCHA and the Australian NGO coordinating body ACFOA. From mid-2000 the Forum began to grow rapidly and by 2001 it was responsible for NGO registration in Timor-Leste, with some 200 Timorese and 112 international NGOs registered. It had 36 staff at the height of the rehabilitation phase and transition to independence and had numerous active working groups, undertook advocacy with international donors, and ran a district outreach program to build the capacity of district-level NGOs. A change of director in early 2002, when the international presence was scaling down, led to the Forum taking on a stronger advocacy role with less focus on its umbrella and training role of the earlier period. As a result, the support of the established Dili-based NGOs fell away during 2002-03, as they saw it becoming like another NGO, not an umbrella body. From late 2003 to mid-2005 the Forum focussed on restructuring and revising its Constitution and under a

new director again in mid-2005 it started to regain support. The Forum was supported by numerous official and NGO donors, but it had difficulty meeting its financial accountability and reporting requirements to a number of them. Its relationship with the Timor-Leste Government was not always easy, particularly in the 2002-03 period, although in the early years it had good relationships with the UN administration and ETTA.

## **Appendix C      Questions which guided the Case Study Research**

For every interviewee:

- Explain details of the research (Plain Language Statement)
- Confidentiality statement
- Name/position of interviewee

Then select appropriate questions for each interviewee:

### **Clarify roles over the period before 1999-2004 with NGO**

#### **Pre 1999**

1. How did the organisation begin and what was its original vision?
2. Who was involved in its early period? Where were they from? What was their background?
3. How did it pursue that vision before September 1999?
4. What sorts of programs did it run?
5. Where did it get funds to do the work?
6. How was it structured/how did it function? (Internal and board?)
7. What relationship (if any) did the NGO have to the independence movement before September 1999?
8. How did it relate to, negotiate space with, the Indonesian authorities?
9. What relations did it have with other NGOs/CBOs? How did it relate to communities?
10. What relations did it have with international organisations?
11. What role was it playing in lead up to ballot? (i.e. from about April/May 1999 or whenever it stopped its 'normal' programming?)

#### **1999-2004: How has the whole transition process affected what the NGO did/does?**

12. What happened to the NGO? Staff, facilities?

13. How did the organisation get reestablished? (factors/donor support?)
14. Did it reestablish in same form, with same people, or was it different?
15. Has its vision changed since before 1999? If so how—what was the process and why?
16. How has it realised its vision since 1999? (this may need to be divided into several different periods according to the NGO's own definition of the change-points). Explore the kinds of programs/activities it has developed over different phases since before September 1999.
17. What was it doing in the immediate period of the emergency (say to end 2000?) (i.e. roles/program) Why?
18. What about during the period of nation-forming? Constitution, formation of new government structures, development of National Development Plan? Why?
19. Now since independence? What has been focus of its work? Why?
20. What sorts of things caused it to change its approach (and perhaps its vision too)? (tease out factors external and internal which may have contributed) Why did it select the things it chose to work on/not work on?
21. How did it change internally (organisational structure and relationships) to implement new approach(es)? (explore who/what drove that, how etc.)
22. What difficulties, challenges has it had to face through all this?
23. What funding and capacity building support (of all types) has it received, from where, and how useful has this been to the NGO? Has this varied much over the period?
24. Are there any suggestions for how capacity building support could be made more effective (in a similar situation) in future?

**More detailed questions re how the NGO has tried to contribute to/shape the new nation post 1999.**

**Up to May 2002**

25. What influence did NGO try to have on the international community (UN, bilaterals, multilaterals and INGOs) and its approach between (pre) September 1999 and May 2002? What were the key issues? How did you approach them?

26. What contacts did NGO have with East Timorese political players (if any) and other civil society groups and the community level throughout this period? Did you try to influence political parties or the Constituent Assembly on particular issues?

27. What sort of development or key issues has NGO tried to influence in the new nation?

28. Where did the NGO get its ideas about these issues from?

29. How has it gone about demonstrating, promoting or advocating that approach? Does the NGO work with other NGOs (local, international) to do this? If so how are they collaborating?

30. What support does it feel it has from communities for such an approach? (how does it assess that?) How does NGO relate to traditional structures in the community? How does it deal with questions of legitimacy and accountability to the people?

31. Did NGO have input to the processes which led to the national development plan? (what does it think about that?)

32. How effectively did you feel you influenced the response of those you sought to influence? (to what does NGO attribute its success or lack of success?).

33. What evidence does it have that its ideas were taken up at all? (If not, why does it think it did not succeed?) If so, what factors contributed to this success?

34. What donor support did you have for this work in this period? Were there things you wanted to do that they wouldn't support?

**Since May 2002**

35. What changes in the NGOs' work have occurred in this period and why? Where is its emphasis now?

36. What sorts of relationships has it developed with the new government? (which departments? types of relationship and levels—national, district, local? policy/program links? personal links?) How does it assess government view of it as an NGO?

37. How does it assess government-NGO relationships overall? What about NGO legislation? High Level Mechanism?

38. How does it assess the current approach to nation building and development which the East Timor Government is pursuing? (strengths/weaknesses it sees?)

What does it see as the key issues in Timor-Leste development now and what is it trying to do about them?

39. How is it working now with other NGOs, communities etc. on these issues?

40. How have its relations with donors changed since May 2002 (if at all)?

41. How does it assess the impact of the international community on East Timor's development approach now? Does it seek to influence that in any way? Of so, how and with what success? (factors in success or failure?).

**Now and future**

42. What are the challenges the NGO is facing now? (internal and external)

43. Are these challenges specific to this NGO, or are they challenges facing NGOs as a group?

44. How has any of the recent capacity building support it received assisted it with its efforts to influence development approach, or key issues it has been working on, or in other ways? (elaborate if affirmative).

45. Looking back, what have you learned? What do you wish you had done differently if you'd had the chance? How will what you've learned shape what you do now?

46. Others I should talk to (time permitting?).

## **Appendix D                      Persons interviewed for this research**

All interviews were conducted in Dili, unless otherwise indicated. Some people were interviewed on more than one occasion.

Visits to Dili during which interviews were conducted: 22 September-3 October 2003 (scoping); 13 June-10 July 2004; 26 September-7 October 2004; 26 June-4 July 2005.

One final visit to Dili took place from 1-6 October 2007 to confirm authority to use each of the case studies. No further data for use in the thesis was collected at that time.

### **Timorese NGOs**

#### *Alola Foundation*

Kirsty Sword Gusmao	24 June 2004
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#### *Bia Hula*

Aleixo da Cruz	26 June and 6 October 2004
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#### *Caritas Dili*

Rogério dos Santos	7 July and 30 September 2004
Sister Idalia Taveras	28 September 2004 and 30 June 2005
Pedro Amaral	1 July and 4 October 2004
Basil Rolandsen	1 July 2004
Dr Jamie Da Costa Sarmento	29 June 2004 and 1 July 2004
Mariano Carmo	24 June and 4 October 2004

#### *CDEP*

Agusto Guterres	29 September 2003
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*Christian Children's Fund*

Lola dos Reis 29 June 2004

*ETADEP*

Gilman A. E. Santos 22 June 2004  
Jocelyn Mendez 29 September 2003 and 30 June 2004  
Carlos Alberto Barros Florindo 25 June and 1 October 2004  
Victor Carvalho 25 June 2004  
Norberto Goncalves dos Santos 23 June 2004  
Francisco Marcal Siquiera da Silva 30 June 2004

*ETDA*

Palmira Pires 29 June 2004

*FOKUPERS*

Manuela Pereira 21 June & 5 July 2004  
Laura Abrantes 30 September 2004  
Natalia de Jesus Cesaltino 29 September 2004  
Rosa da Souza 29 September 2004 and 1 July 2005  
Ubalda Maria Filipi Alves 5 October 2004  
Eliza da Silva dos Santos 6 October 2004

*GFFTL*

Marquita Soares 26 September 2003 and 7 July 2004

*Haburas*

Demetrio Amaral 29 September 2003  
Elias Vieira 29 September 2003

*HAK*

Aniceto Guterres Lopes 8 July 2004



Jose Luis de Oliviera	19 June 2004 and 1 July 2005
Celastino Marques	22 June 2004
Kerry Brogan	6 July 2004
Joachim Fonseca	2 July 2004
Octavia do Carmo	23 June 2004
Silverio Pinto Baptista	4 October 2004
Rui Viana	2 July 2004
Amado Hei	21 June 2004
Leon dos Santos	28 June 2004
Edio Saldanha Borges	28 June 2004
Vitor Lopes	29 June 2005
Aniceto Neves	21 June 2004
<i>Halarae</i>	
Paulo da Costa Amaral	8 July 2004
<i>HASATIL</i>	
Ego Lemus	6 July 2004
<i>REDE</i>	
Laura Menezes Lopes	6 October 2004
Emily Royenstad	1 October 2004
<i>JSMP</i>	
Nelson Belo	30 September 2003
<i>NGO Forum</i>	
Antero Bendito da Silva	24 September 2003 and 24 June 2004
Micel Soares	25 September 2003, 15 June and 1 October 2004

Joachim da Costa	15 June and 1 October 2004 and 30 June 2005
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*La'o Hamutuk*

Tomas Freitas	25 September 2003
Adriano Nasciemento	25 September 2003
Selma Hayati	26 June 2004
Charlie Scheiner	4 July 2005

*Roman Luan*

Gabrielle Sampson	1 October 2004
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*SAHE*

Aderito de Jesus Soares	2 July, 4 October 2004 and 29 June 2005
Nuno Rodrigues	5 October 2004

*Timor Aid*

Maria do Ceu Lopes da Silva Federer	6 October 2004
Alex Gusmao	30 June 2004

*Yasona*

Constantino Pinto (17 May in Melbourne)	17 May and 22 June 2004
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**East Timor Government**

*Ministry of External Affairs*

Emilia Pires (in Melbourne)	17 September 2005
Josephine Dongail, NGO Unit	25 September and 21 June 2004
Domingos Marques. NGO Unit	25 September 2003 and 25 June 2004
Ben Moxham (NDPEAC)	18 June 2004

*Ministry of Labour and Solidarity*

Arsenio Bano (in Darwin) 13 June 2004  
Secretary of State (and former Executive Director of NGO Forum)

*Ministry of Agriculture, Forestry & Fisheries*

Arkanju Araujo  
Dept Policy Planning & Program Services 2 July 2004

*Prime Minister's Department*

Isabel Perreira  
Adviser on Human Rights 8 July 2004

Maria Domingos Alves (Mikato)  
Adviser on Promotion of Equality 30 September 2004

*Parliament*

Aziza Magno MP 8 July 2004

*CAVR*

Kieran Dwyer 25 June 2004  
Galuh Wandita 6 July 2004

**International Donors**

*AusAID*

Helio Talvares 23 September 2003  
Carmen Branco 23 September 2003  
Cynthia Burton 26 September 2003  
Alan Smith (CWSSP) 6 October 2004

*CIDA*

Afonso Aleixo 5 July 2004

Afonso de Oliveira (and formerly ETADep) 1 July 2004

Francisco Marcal Siquiera da Silva 5 July 2004

*UNDP*

Jose (Aze) Marcelino Cabral Belo 6 July 2004

Jennifer Worthington 24 September 2003 and 6 July 2004

*USAID*

Joao Noronha 23 September 2003

Expedito Belo 23 September 2003

Nicholas Hobgood 26 September 2003

Nicole Seibel 23 September 2003

**International NGOs***Oxfam Australia*

Keryn Clarke 24 September 2003, 17 June  
and 1 October 2004

*AFAP*

Christine Carberry (by phone, from Sydney) 6 May 2005

*Oxfam UK*

Wayne Gum 28 June 2004

*CRS*

Jamie Davies 25 September 2003

Richard Holloway 24 June 2004

Catharina Maria 25 June 2004

*Caritas Australia*

Sieneke Martin 25 September 2003

Bu Wilson 23 June 2004

*Catholic Institute of International Relations*

Tonette Velasco 25 September 2003

*CARE*

Jill Umbach 26 September 2003

*Australian Conservation Foundation*

Lee Tan (in Melbourne) 3 June 2004

*Columbia University*

Rebecca Engel 29 September 2003 and 1 July 2004

*The Asia Foundation*

Dionisio Babo Soares 8 July 2004

*APHEDA*

Angela Soares 29 September 2003

*CAFOD/Trocaire*

Estanislau Martins 7 July 2004

**Other individuals or organisations that provided documents or information for which I am grateful:**

Domingos Soares Oxfam Australia

Catherine Chalk Austcare

Peter Zwart

Clare Danby

J. Rennison

HIVOS

Kirsten S. Natvig

Caritas NZ

CAFOD

Trocaire

Netherlands

Caritas Norway

### **Interpreters**

Elsa Ximenes assisted by Eugenia Lopes

### **Translation**

East Timor Development Agency

Fernando da Costa

FOKUPERS (for material specific to FOKUPERS)

## **Appendix E      Additional documents and other sources used in compiling NGO case studies.**

### **Caritas Dili**

- Report on Visit to Timor Lorosae 25 February-March 2000 Peter Zwart
- Visit to Caritas Dili 18-23 July 2000 Peter Zwart
- Report on Monitoring Visit to Timor Lorosae 17-27 July 2001 Peter Zwart
- Visit Report East Timor 15-28 February 2003 Peter Zwart
- Visit Report East Timor 17-30 August 2003 Peter Zwart

### **ETADEP**

- Profil Fundacao ETADEP (brochure)
- Proposal: Basic Needs Empowerment Program for Farmer Community Yayasan Ema Mata Dalan Ba Progressu (ETADEP) (undated)
- Visit to Farmer Field School, Aileu, 9 July 2004

### **HAK**

- Observation of Mid-Year Review Meeting 3 July 2004
- Land Investment for HAK Office Building (one-page flier)
- Timor-Leste National Alliance for an International Tribunal. Letter to Secretary General of the United Nations 17 September 2004
- Issues of *Direito* (Nos 21-27)
- Issues of *Newsletter HAK*, 2003, 2004
- *Suara NC*, Edisi 06 April 2001
- The HAK Association Brochure
- Divisional Reports to the Board for the Period January-June 2004
- Laporan Assessment (Assessment Report) Yayasan HAK Dili Timor Lorosae by M. Kusumahadi and F. Tugimin, USC-Satunama, Yogyakarta (undated)
- Report of Consultative Workshop on the Development of a National Human Rights Actions Plan, 11-12 December 2003, Dili, USAID and RDTL

- HAK Foundation: HIVOS Counterparts Database, [http://www.Hivos.nl/nederlands/partners/zoeken/partner/index.php?org\\_nummer=TL001](http://www.Hivos.nl/nederlands/partners/zoeken/partner/index.php?org_nummer=TL001)

## **FOKUPERS**

- Menilam Kemerau: upaya perempuan Timor Lorosae menyudahi kekerasan sebuah awal. (Make the Dry Season Lighter: First steps to stop violence against women in Timor Loro Sa'e) in Indonesian. Extracts translated into English by FOKUPERS
- Issues of *Babadok* (FOKUPERS' newsletter)
- *TA'ES Lia-Los ba Igualidadi*. No4/Abril-Junio 2004 (Bulletin from the Office for the Promotion of Equality No 4 April-June 2004)
- Movimento Nasional Kontra Violensia (National Movement Against Violence) Brochure
- HIVOS Counterparts database: FOKUPERS, Women's Communication Forum Timor Lorosae.  
[Hivos.nl/nederlands/partners/zoeken/partner/index.php?org\\_nummer=TL003](http://Hivos.nl/nederlands/partners/zoeken/partner/index.php?org_nummer=TL003)

## **SAHE**

- CD Roms produced by SAHE: e.g. Liquisi Ami Nia Rai (about the coffee monopoly); Situasaun Tribunal Iha Timor-Leste (about the International Tribunal).

## **Timor Aid**

- Timor Aid brochure.
- Participation in Timor Aid Open Day, 5 October 2004
- Timor Aid: Edukasaun Sivika: Saida Maka: Demokrasia? Konstitusaun? Partidu Politiku? Direitus Humanus? (Civic Education Booklet in Tetum)
- Tais Timor: Traditional weaving cataloguing Activity Funded by USAID. Timor Aid and USAID (brochure)



- Foundation of the Peoples of the South Pacific website:  
<http://www.fpsi.orgfj/affiliates/timor.htm>[viewed 19 April 2005]
- Information about Timor Aid projects on website of Just World Partners:  
<http://www.justworld.org.uk>[viewed 19 April 2005]

## **Appendix F            Some Examples of Official Donor Support to Civil Society in East Timor 1999 to 2004-05.**

Listed below are the major programs of selected major donors to Timorese civil society in East Timor from late 1999 to the FY 2004-05. The focus below is on programs which were designed to strengthen East Timor civil society (and often as a corollary, to provide support for community development work through NGOs and community groups). This summary may exclude support provided to local community groups or NGOs through major bilateral programs where such information is not publicly available. Other donors such as DFID (UK), Japan and Ireland provided support to local NGOs, but this was generally to achieve other program objectives (e.g. to promote agriculture or other sectoral goals). Some donors provided support to international NGOs which may have worked with Timorese partners, but these are only included where adequate information was available. The first three donors were the major donors with programs expressly identified to build civil society capacity, and which worked directly with Timorese local NGOs.

### **USAID**

Following the 1999 emergency USAID set up the Office of Transition Initiatives (OTI), that led USAID's response from November 1999 to October 2002. A key objective of OTI's program was to 'encourage citizen participation in public life, bolster civil society' and promote the rule of law (2003 Final Evaluation OTI: 25) and this was to be achieved particularly through strengthening the NGO and media sectors.

By early 2000 OTI was providing short term (three month) funding for office rehabilitation and salaries to get NGOs running again. The 23 initial grants were for office equipment and supplies, transport (vehicles and motor bikes) computers and other materials. Twenty three grants ranging from US\$8,000-\$25,000 were disbursed. OTI saw NGOs as a vehicle to quickly provide some social services to the people, but its main objective was to help establish and build civil society in East Timor. In August

2000 a second round of funding and in-kind support was provided, this time to 80 NGOs. These covered activities such as community based literacy campaigns, media development, support for Yayasan HAK and other human rights groups for public radio communication about the draft Constitution, and some 50 groups were supported in civic education activities around the Constituent Assembly and Presidential elections in 2001 and 2002.

USAID also established other programs which included grants to NGOs and civil society organisations as well as local governments and others. These were TEP—the Transitional Employment Program to August 2000; followed by TEP II (Transition Engagement for Population Support (61 projects); and BELE (Building Empowerment Leadership and Engagement) (88 projects) to February 2002. The goals of these programs were explicitly related to economic recovery and democratic development. Among the Projects to promote economic growth, 10 of the 11 projects under the heading ‘Financial services increased’, were through international and local non-government organisations, or credit cooperatives. A smaller proportion of those under the heading ‘Markets improved and production of selected products increased’ were also through NGOs, although the amounts for local NGOs were very small. Two projects under the ‘Market linkages strengthened’ category were through local NGOs. More local NGOs were significantly supported under the ‘Democracy and Governance small grants’ program for election monitoring, civic education, women’s education, organisational development, conflict resolution, human rights and justice monitoring, media, and campaigning against gender violence. Eleven local NGO projects were classified as ‘Increasing public participation in governance’, most of the ‘improving citizens’ access to justice’ projects, and two projects under the ‘strengthened independent and government institutions’ categories were through local NGOs. These programs indicate an emphasis on NGOs providing services to the population, and holding the government to account, promoting formal democracy and politically empowering the community.

## **AusAID**

In March 2001 AusAID began the *East Timor NGO Capacity Building (ETCBS)*, a three-year program costing AUD\$4.5 million. Its goal was to reduce poverty through building capacity of local NGOs and community based organisations (CBOs) and by supporting activities for community development and civil society strengthening. This Program supported 18 East Timorese NGOs through partnerships with seven Australian NGOs. Activities they undertook included employment and vocational training, civil society strengthening, sustainable livelihoods, environmental protection, human rights, peace and reconciliation, women's empowerment and work with vulnerable groups. A review was conducted in 2003 (AusAID 2004). While the program was seen as flexible and responsive, and the activities were generally viewed positively by communities, the review questioned the capacity of small short-term projects to address poverty reduction. Even to achieve the projects' own modest goals the timeframes were too short and there was too much focus on service delivery and insufficient attention to capacity building of the NGOs. What institutional development there was tended to focus on project management, including financial management, strategic planning, English language, computer skills, human resource management and gender analysis; many of these related to the need to interact with the donor system. Gaps identified by local NGOs focussed more on program implementation and development, 'gender analysis, institutional development, participatory development, campaign planning, resource mobilisations, community education, environmental issues and sustainable livelihoods analysis' (AusAID 2004:7). The Review notes the relatively positive experience of partnership which NGOs reported, but highlights the issue of sustainability, which was a critical issue facing the local NGOs. When this program ended in late 2003/early 2004 AusAID did not continue any specific civil society capacity development programs.

### *East Timor Community Assistance Program*

This Program is not a civil society capacity building program, but it supports local community projects. It has been operating since 2001 and a total of AUD\$5 million has been spent on it. This small grants scheme supports community initiatives throughout

East Timor through non-government organisations, community based organisations and religious groups with the aim of achieving better living conditions for East Timorese people. The Program has supported hundreds of community level and small scale activities, including building irrigation canals, schools and health facilities, providing education for women, and promoting peacebuilding and free media activities. It also supports district governments to directly address community needs.

*NGOs in bilateral projects.*

AusAID incorporated working with selected NGOs into two major bilateral projects in agriculture/rural development and water and sanitation.

**UNDP and related UN agencies**

UNDP first began NGO capacity assistance in early 2000 with support for an *East Timor NGO Capacity Building Project*. This project provided three blocks of training to NGOs to deepen their understanding of development issues and strengthen the managerial and organisational capacity of local NGOs. The blocks were: *Development Concepts* (March 2000), *Organisational Management*, *Project Management and Proposal Writing* (April 2000 and a repeat block in May 2000). A total of 60 NGOs availed themselves of the opportunities for training that the Project provided. The Project was also designed to assist in strengthening the national NGO Forum, so as to enhance cooperation and avoid duplication, and it worked with the Forum's board to relocate it from the UN-NGO Information Centre to an independent building, hire an Executive Director, and develop a discussion paper about the role of the NGO Forum.

In February 2001 UNDP began a second Project which ran until August 2002 called '*Enhancing the Capacities of East Timorese Civil Society Organisations*'. This Project, with a total budget of US\$486,000, had three components:

- 1) Supporting capacity development within the NGO Forum
- 2) Supporting a training program for civil society organisations, subcontracted to and run by Oxfam Australia
- 3) A small grants program which provided 15 grants to local NGOs and CBOs.

A mid-term review of that Program in November 2001 recommended a longer timeframe, development of some thematic priorities with possibility for NGOs to propose activities within those, ‘layered’ capacity building and support for governance, self assessment and evaluation, and a focus on the relationships between government and CSOs. More focus on capacity development and learning within any future small grants program was also recommended. The review also recommended a situation analysis of civil society in East Timor, a task that began in late February 2002.

From May 2003 UNDP began a new Project, ‘Strengthening the Capacity of Civil Society Organisations (CSOs) in local and national development processes for the achievement of the Millennium Development Goals in Timor-Leste’. This ran until March 2006. The overall UNDP Project was undertaken in collaboration with United Nations Volunteers (UNV). Its objective was to enhance the capacity of CSOs in project monitoring and advocacy in relation to the MDGs; this included training of NGOs in Dili and Baucau, developing civil society-government dialogue around the MDGs and strengthening the advocacy capacity of NGO networks and umbrella organisations. The Project provided grants to 21 CSOs (13 district-based) for organisational capacity development activities like strategic planning, financial management training and learning resources (such as books/documentation). It also supported capacity development of 11 community radio stations through the Timorese Media Development Centre. In collaboration with the NGO Forum, the main Timorese umbrella organisation, a mapping exercise of civil society (Civil Society Index) was also undertaken. The Program initially established Civil Society Support Centres in three districts, Baucau, Ainaro and Oecusse. However, only the Baucau Centre seems to have remained open by 2006 and, in preparation for the closure of the Program, had formed itself into a local NGO to focus on civic education and training based on the skills the staff had developed during the Project.

**UNICEF and UNIFEM** also provided small grants to women's NGOs, such as FOKUPERS, and REDE Feto. UNICEF in 2000 also undertook a survey of training needs for NGOs in East Timor regions.

In 2001 UNIFEM supported the establishment and operation of the REDE secretariat for its first year, as well as provided training and other support to strengthen the capacity of the network to promote and support women's leadership in East Timor, and to implement the recommendations of the National Women's Congress. UNIFEM supported a Coordinator, Administrative/Finance Officer and Secretary, as well as operating expenses for the office, for one year, to enable the Secretariat to develop the capacity to raise further funding. UNIFEM and UNICEF support to REDE FETO has continued, for example, through support for their 2004 Congress.

UNIFEM also assisted the NGO Timor Aid to upgrade the production of traditional textiles. UNIFEM worked with Timor Aid to support quality control and marketing in six districts, to upgrade weaving technology and the quality of the product in order to access niche markets offering higher prices to the women for their labour. UNIFEM funded a team from Thailand to train Timorese men from the districts of Suai, Same and Oecussi to build Thai-style upright looms with a flying shuttle. Women weavers from Thailand trained Timorese women in the use of these new looms.

UNIFEM training on women's political participation in August 2001 led to the establishment of a new NGO, the Timor Loro Sa'e Women's Political Caucus. This non-partisan group is drawing upon the experiences of similar organisations in the Pacific, and the Indonesian Women's Political Caucus. The Caucus actively supports all women candidates for elected office, regardless of party affiliation and promotes women's participation in leadership and decision making.

## **CIDA, CANADA**

### *Canada Fund for Local Initiatives*

This program began in 2001-02 to the value of C\$800,000, with \$600,000 estimated annually in future years. It was a fund entirely for local NGO and community organisations, and involved some specific capacity building projects, including through support for Canadian co-operants (volunteers), for civic education through UNDP, and support through the NGO Forum to strengthen coordination and advocacy. Other projects were for women, agriculture, livestock and livelihood, human rights, gender and environmental issues.

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### **UNDP and related UN agencies**

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